

THE DEMOCRATIC MAJORITY OF THE CONGRESSIONAL
COMMITTEE AND THE "MENTAL ANGUISH" OF THE
TWO COMMANDERS

THE "moral problem" created for the Democratic members of the Congressional Committee by the testimony and documents bearing on the treatment accorded to General Short and Admiral Kimmel by high officials in Washington before and after the release of the Report of the President's Commission on Pearl Harbor, January 24, 1942, was undoubtedly difficult to resolve. From certain quarters they were urged to sustain the charge of dereliction of duty and thus validate the Roberts Report.²⁹ But they rejected this advice; they declared that the failures of the commanders were errors of judgment, not derelictions of duty; and, having done this, they prepared a statement on the subject, which is a marvelous display of rhetorical ingenuity. This statement appears in brief passages of the Report placed under the heading: "Prior Inquiries Concerning the Pearl Harbor Attack."³⁰

It was in this statement that the six Democratic members of the committee, presumably supported by Representative Gearhart and perhaps to some extent by Representative Keefe from the Republican side,³¹ conceded that General Short and Admiral Kimmel had undergone mistreatment and suffered mental anguish as a result of the position in which they had been placed between their removal from command in December, 1941, and the close of the Congressional investigation in 1946. It was here that Democratic members of the committee dealt with the injustice suffered by the two commanders. In their efforts to cope logically with the moral problem

29. This statement that the Democratic members were urged to validate the Roberts Report is based on information from good authority, which I am not at liberty to disclose. The application of the canons of historical criticism to the majority's passages on General Short and Admiral Kimmel suggests that several hands were engaged in shaping and giving final form to the sentences so constructed as to fit relevant facts in the record, and to produce a self-consistent pronouncement on the misfortunes of the two commanders.

30. CJC, *Report*, pp. 246 f.

31. In his report, Mr. Keefe dissented from most, though not all, of their views. See above. pp. 345 ff.

the members ran into a veritable maze of contradictions—in the previous reports on Pearl Harbor and in their own attempts to square their unequivocal exoneration of high authorities in Washington with their conclusion to lift from the Hawaiian commanders the stigma of dereliction placed upon them by the Roosevelt Administration.

The Democratic members did not untie the knot; they cut it with one swift stroke: "We have not presumed to pass judgment on the nature of or charges of unfairness with respect to seven prior inquiries and investigations of the Pearl Harbor attack." Why not, since clearing up confusions, as Senator Barkley had said, was one of the prime reasons for the establishment of the committee? The answer of the Democratic members was, we feel "that by conducting a full and impartial hearing our report to the Congress along with the committee's record would present to the American people the material and relevant facts of the disaster."

Then, after some remarks on the nature of the Congressional Committee's inquiry, the Democratic members took up the issue of the treatment accorded to General Short and Admiral Kimmel. The two paragraphs dealing directly with this problem read:

Shortly after the disaster both Admiral Kimmel and General Short were retired from active duty. Consideration was thereafter given by the War and Navy Departments to the question of whether the errors made in Hawaii justified proceedings by court martial. Admiral Kimmel and General Short were requested in the interest of the Nation's war effort to waive their rights to plead the statute of limitations in bar of trial by general court martial for the duration of the war and 6 months thereafter.³² Both these officers properly and commendably did so waive their rights. It was the duty of the Offices of the Judge Advocate General of the Army and the Navy to consider the facts of the disaster as relating to the responsibilities of the Hawaiian commanders, even though after inquiry and deliberation it was determined

32. See committee Exhibits 170, 171. Also see above, pp. 393 ff. for facts respecting their retirement in February, 1942.

that the errors were errors of judgment and not derelictions of duty.

On the morning of December 7, 1941, Admiral Kimmel and General Short were catapulted by the Empire of Japan into the principal roles in one of the most publicized tragedies of all time. That improper and incorrect deductions were drawn by some members of the public, with consequent suffering and mental anguish to both officers, cannot be questioned, just as erroneous conclusions were made by others with respect to the extent and nature of responsibility in Washington. But this is the result of the magnitude of public interest and speculation inspired by the disaster and not the result of mistreatment of anyone. The situation prevailing at Pearl Harbor on the morning of December 7 in the wake of the Japanese attack cast everyone, whether immediately or remotely concerned, beneath the white light of world scrutiny.

In view of the whole record before the Congressional Committee, and especially the pages upon pages of the testimony and documents bearing on the subject matter, these two paragraphs prepared by the Democratic members, with or without aid from the two Republican Representatives, are wonders in the history of ethics, jurisprudence, and the descriptive sciences, as the following analysis shows:

"Shortly after the disaster [at Pearl Harbor] both Admiral Kimmel and General Short were retired from active duty." The statement is correct; but how, in what circumstances, by whom, and by what methods?

"Consideration was *thereafter* given by the *War and Navy Departments* to the question of whether the errors made in Hawaii justified proceedings by court martial." (Italics supplied.)

Consideration of whether the errors of the commanders justified proceedings against them by court-martial was not given merely *after* the retirement of General Short and Admiral Kimmel. It was also given *before* they were officially retired, in immediate connection with the devising of a formula to accompany notice of their retirement; and the departments were warned by legal counsel that proving the case

against the commanders would be a dubious undertaking and that a public promise of trial by court-martial was inadvisable.

Consideration of whether the errors of the commanders justified proceedings against them by court-martial was given not only by the War and Navy Departments. The whole question was also given "consideration" by President Roosevelt, Secretary Stimson, Secretary Knox, General Marshall, and Attorney General Biddle in close collaboration. These members of the Administration knew at the time of their consideration that their case against General Short and Admiral Kimmel was so dubious, indeed so unsupported by evidence, that in finally deciding upon the legal and public formula for retiring the commanders under the stigma of guilt, they did not dare to promise "proceedings by court martial."³³

To summarize this "consideration" by the highest authorities in the Roosevelt Administration: After a Cabinet meeting at the White House, on February 13, 1942, Secretary Stimson took up with Secretary Knox the retirement of General Short and Admiral Kimmel. President Roosevelt had evidently been discussing the matter with Secretary Knox, and had supplied to Mr. Knox a formula to accompany the retirement. "The language of the President roughly," wrote Secretary Stimson to General Marshall, "as given me by Knox, was as follows: 'provided that it is agreed by you [General Short or Admiral Kimmel] that this is no bar to be used legally or otherwise to subsequent court martial proceedings.'" So President Roosevelt as well as officials in the War and Navy Departments, devoted "consideration" to the question of court-martial proceedings against the commanders and President Roosevelt gave Secretary Knox a formula which, if it had been adopted and used, would have conveyed to the public a clear impres-

33. Their moral problem was "solved," however, by comments accompanying the announcement of the formulas, which Secretary Stimson and Secretary Knox made for the benefit of the press to the effect that they had directed "the preparation of charges for trial by court martial . . . , alleging dereliction of duty." See above, Chap. VIII, p. 226. Yet those charges were never formally prepared and lodged against the two commanders.

sion that proceedings by court-martial were to be expected in due time.

If the Democratic members of the Congressional Committee had coupled these relevant facts with their statement about the consideration given by the War and Navy Departments to retirement and court-martial proceedings, they would have brought immediately into the center of the secret negotiations in January and February, 1942, the name of President Roosevelt who had suggested a harsher formula than that found tenable by the Attorney General and the legal advisers of the Army and the Navy.

In the records before them the Congressional Committee also had evidence that the legal advisers of the War and Navy Departments had, while the retirement of General Short and Admiral Kimmel was under "consideration," reported against promising trials by court-martial in that connection. To this point the Democratic members referred as follows: "It was the duty of the Offices of the Judge Advocate General of the Army and the Navy to consider the facts of the disaster as relating to the responsibilities of the Hawaiian commanders, *even though* after inquiry and deliberation it was determined that the errors were errors of judgment and not derelictions of duty." (Italics supplied.) Why "*even though*"? Was it not the plain and obvious duty of those officers, when the issue was duly presented to them by their superiors, to make a judicial inquiry into the facts and the law of the case and to report *whether* the errors were errors of judgment *or* derelictions of duty warranting proceedings by court-martial? In truth, the legal advisers of the War and Navy Departments warned President Roosevelt, Secretary Stimson, and Secretary Knox *before* the retirement of General Short and Admiral Kimmel that the grave charges made against them by the Roberts Commission would be difficult if not impossible to sustain and should not be publicly pressed.

Having in their manner disposed of the retirement of General Short and Admiral Kimmel and the business of dereliction of duty and court-martial proceedings against them,

the Democratic members of the Congressional Committee came to the fact that the retirement of the commanders and the official announcements accompanying it had imposed intolerable suffering upon the commanders, had disgraced them before the country, and had long kept them in ignominy. What now was to be said in full view of the negotiations, decisions, and acts of will on the part of President Roosevelt, Secretary Stimson, Secretary Knox, General Marshall, Admiral Stark, and Attorney General Biddle which resulted in this tragedy for the commanders? Was any blame to be attached to these high officials for the tragedy of the commanders? This question must have given the Democratic members of the committee anxious hours.

How had the two commanders been placed in a position of disgrace before the American people? The Democratic members offered a curious explanation. First, they "were catapulted by the Empire of Japan into the principal roles in one of the most publicized tragedies of all time." Had the Empire of Japan inspired the charges brought by President Roosevelt's Commission against the commanders, given these charges to the public, and retired the commanders with official announcements in Washington which imputed guilt to them? Doubtless the majority did not intend to imply as much in their reference to the catapulting act performed by the Empire of Japan; but their formula, to say the least, was scarcely comprehensive.

Concretely, who in the United States brought the "suffering and mental anguish" to the commanders? To this question the Democratic members replied by putting the blame on "some members of the public"—the old and favorite recourse in such dilemmas. "Some members of the public" had drawn "improper and incorrect deductions." From what could the careless or evil persons have drawn their deductions except from the official pronouncements of the Roosevelt Administration which had charged the two commanders with grave offenses and had broadcast news of their retirement with a clear imputation of guilt?

Could the "suffering and mental anguish" of General Short and Admiral Kimmel have been due in some measure at least to actions of high authorities of Washington in respect of the "housecleaning" and the charges brought against them? Here was, indeed, the crux of the matter. The majority vaulted it by saying that while the personal tragedy of the commanders could not be questioned, "this is the result of the magnitude of public interest and speculation inspired by the disaster and not the result of mistreatment of anyone." As if to lighten the load for the two commanders the majority, in this connection, referred to "erroneous conclusions" that "were made by others with respect to the extent and nature of responsibility in Washington."

The upshot, in the opinion of the Democratic members, appeared to be: High authorities in Washington had also endured suffering and mental anguish as a consequence of erroneous deductions drawn by some people; General Short and Admiral Kimmel had been caught in this remorseless web of errors; but the misfortune of the two commanders, as of their superiors in Washington, "was not the result of mistreatment of anyone." So, if the distress of the General and the Admiral was not wholly assuaged by the findings of the Democratic members, they could take consolation in the thought that President Roosevelt, Secretary Hull, Secretary Stimson, Secretary Knox, General Marshall, and Admiral Stark, and perhaps Attorney General Biddle, had likewise been misunderstood and that yet nobody had been mistreated, presumably by anybody, except, possibly, by some anonymous members of the public. Transcending this flight of causational reasoning and philosophical eloquence seemed scarcely possible to the Democratic members of the Joint Committee on the Investigation of the Pearl Harbor Attack.³⁴

34. The Republican minority of two avoided that problem in evidence by the simple expedient of ignoring, in their dissenting views, the question of the validity of the Roberts Report on this point and the question of the treatment accorded to General Short and Admiral Kimmel by the Roosevelt Administration.

CHAPTER XIV

Secret War Decisions and Plans

AT what point in time, if any, did President Roosevelt decide that the United States would, deliberately or of necessity, enter or become involved in the war and begin to make plans with this issue in view? ¹ Since he never called upon Congress for a declaration of war, until after the Japanese attack, or publicly announced such a decision on his part, this subject will long remain open to debate.²

The problem, however, is by no means academic. Indeed it presents many practical aspects—political, ethical, and constitutional, and is intrinsic to a determination of how war came. Former associates of President Roosevelt and writers of a eulogistic bent have recognized it as basic to the exaltation of his leadership. If the President was driven into war by the overt acts of aggressors and in no manner contributed to bringing on the war, he was a victim, not a maker, of history; he did not lead the nation into war for reasons of world morality but was forced into it or drawn into it or compelled to take up arms against his will, by circumstances beyond his control. From this point of view, the President does not appear in the heroic role of the farsighted leader, in advance of his people, battling for the Four Freedoms against enemies of mankind.

1. It is needless to point out to anyone given to precision in the use of language how elusive are such phrases as "war was inevitable," "drawn into war," "compelled to take up arms," "forced into war," and "America has been wantonly attacked." They connote a determinism of events for the United States, as if President Roosevelt was a mere agent of "forces" beyond his initiation or control, not an active agent in a conjuncture of circumstances which he had helped to create by deliberate actions on his own part. Of course, it may be assumed that the whole world drama has been determined from the beginning of human time and that all the men and women who have taken part in it have been mere actors, mere puppets speaking lines and acting roles assigned to them by fate or "the nature of things." If so, so-called human virtues of courage, prescience, wisdom, and moral resolve are to be reckoned as phantoms.

2. What the papers in President Roosevelt's personal files will show, if ever opened to the public, must remain for the present a matter of conjecture. See below, p. 543 ff.

On the other hand, if the President did at some time before the Japanese attack decide that the United States should and would enter the war, and conducted his "complicated moves" in that direction, difficulties obvious in the historical record arise for consideration. More than a year before Pearl Harbor, President Roosevelt made his campaign pledges of 1940. After Pearl Harbor, he said: "The United States was at peace with that nation [Japan, on December 7] and, at the solicitation of Japan, was still in conversation with its Government looking toward the maintenance of peace in the Pacific. . . . Japan has, therefore, undertaken a surprise attack throughout the whole Pacific area."

For members of the Congressional Committee on Pearl Harbor the question of any kind of war decision had concrete pertinence to the issue of responsibility for the disaster. The Democratic members confronted something like a paradox. If the President did not decide at any time before the Japanese attack that war was actually at hand, how could it be claimed that General Short and Admiral Kimmel had been given orders specific enough, in terms of time and action, to sustain the charges lodged against them by the Roberts Commission? On the other hand, if President Roosevelt and Secretary Hull knew well in advance that Japan had resolved to break off relations and that involvement in war was immediately imminent, the official thesis of December 8 on the coming of war as a surprise took on the form of a contradiction.

Aware of the relation between the time of a war decision and responsibility for Pearl Harbor, Senator Ferguson sought by questioning Secretary Hull to find out the day and the hour of decision. In written questions the Senator asked the Secretary just *when* the Administration decided that war was immediately imminent, definitely informed the Army and Navy of the fact, and transferred the duty of defending American interests to the armed forces of the United States. Secretary Hull ingeniously avoided making an informative answer.³

3. See below, Chap. XVII, pp. 563 ff.

Recognizing the significance of the time question, the majority of the Congressional Committee on Pearl Harbor dealt with it as follows: "The Secretary of State fully informed both the War and Navy Departments of diplomatic developments and, *in a timely and forceful manner, clearly pointed out* to these Departments that relations between the United States and Japan had passed beyond the stage of diplomacy and *were in the hands of the military.*"⁴ By using the word "timely," the majority refrained from coping with Senator Ferguson's call for the day, but, in stating that Secretary Hull's notification of the War and Navy Departments was "timely," they clearly indicated that the time was on some day before December 7, 1941. Their indication thus cut across the official thesis of the President's war message of December 8, 1941.

As if fully sensitive to the fact that this question of time has a decisive bearing on President Roosevelt's antiwar pledges in 1940 and preceding years, as well as on the process by which the United States actually became involved in war, former officials of the Roosevelt Administration and other expositors of its measures have undertaken to meet the challenge. Referring to it in a review of my *American Foreign Policy in the Making, 1932-1940*, Adolf Berle, Jr., Assistant Secretary of State, 1938-44, and presumably possessing inside knowledge, said in 1946: "Somewhat rhetorically, on p. 45, it is asked, 'At what point in time of [during] these "fateful years" did the President and the Secretary (Hull) decide that the policy of neutrality and isolationism . . . was untenable and announce to the public that another foreign policy—one opposed to it—was in the best interest of the United States?'"⁵

Then Mr. Berle gave what he apparently regarded as an answer to the question: "The date when war was considered probable rather than remotely possible was shortly after the Munich conferences [1938]—up to which time the President

4. CJC, *Report*, p. 251. (Italics supplied.)

5. *Tomorrow*, November, 1946. My words "fateful years," if "rhetorical," were based on the State Department's title for Chap. I, "The Fateful Decade," *Peace and War, 1931-1941* (July, 1943 ed.), pp. 1-3.

and Secretary were hoping against hope that Europe at least would find a balance and solve its own problems. General disarmament after Munich was to be the acid test." When did the President announce to the country that the policy of neutrality and isolation had been abandoned for another policy? On this point Mr. Berle remarked:

This reviewer [Mr. Berle] would have thought that the records of the President and Mr. Hull were clear. Notable among the relevant documents are President Roosevelt's "quarantine speech" in 1937 [the year before Munich] and repeated warnings by Mr. Hull (many of which the author [Beard] omits) that Axis aggression, if continued, would endanger the safety of the United States as well as of the rest of the world. The growing and ever blunter expressions to foreign governments, instinct with American apprehension, plainly indicated the coming development. Historians may argue that clearer statements could have been made. Perhaps. But the country did not misunderstand.

Mr. Berle appeared to fix the date of the turn from neutrality and isolationism at some time in 1938 and cited President Roosevelt's quarantine speech of October 5, 1937, the previous year, as among the relevant documents. If October 5, 1937, is to be taken as the date of the turn, then it is to be noted that President Roosevelt at a press conference the following day, October 6, 1937, when asked whether the quarantine speech was "a repudiation" of the Neutrality Act, replied: "Not for a minute. It may be an expansion."⁶ If the date of the turn is to be fixed "shortly after" the Munich conferences in 1938, then what may be said of numerous reaffirmations of their adherence to peace and neutrality for the United States made publicly by President Roosevelt and Secretary Hull in 1939 and 1940?⁷

Among the other "relevant documents" mentioned by Mr. Berle, in addition to the quarantine speech of October 5, 1937, were "repeated warnings" about Axis aggressions, and "the growing and ever blunter expressions to foreign governments"

6. Beard, *op. cit.*, pp. 188 ff.

7. *Ibid.*, pp. 223-323 *passim*.

which "plainly indicated the coming development." But Mr. Berle cited no specific warning or expression that could be dated and analyzed with a view to discovering whether it "plainly indicated" a turn from or repudiation of the anti-war and proneutrality pledges of President Roosevelt and the Democratic party in 1939 and 1940.⁸ As if appreciating intellectual difficulties of explication, Mr. Berle stated that "historians may argue that plainer statements could have been made. Perhaps." Then he added: "But the country did not misunderstand."⁹

As a matter of fact a careful examination of every sentence in all these addresses and speeches in the nature of warnings and ever blunter expressions yields no information on the point of time at which President Roosevelt had decided to abandon the policy of neutrality and announce that another foreign policy—one pointed in the direction of war—was in the best interest of the United States.¹⁰ Yet, for what it is worth and means, Mr. Berle's statement may be taken to imply that in 1937 or 1938 or thereabouts, President Roosevelt had decided that "war was considered probable," and hence that the maintenance of neutrality and peace for the United States was improbable. Such at least seems to be the upshot of Mr. Berle's effort to enlighten "historians," if not "the country" on the point at issue. Even so, it is no answer to the question I posed.

In respect of this chronological problem, Sumner Welles, former Undersecretary of State, said in 1946:

As I have earlier written, President Roosevelt since the autumn of 1936 had become ever more deeply engrossed with foreign policy. No matter how urgent the problems of domestic reform and recovery might be, he had long since recognized that neither re-

8. Mr. Berle may be sure that the country did not misunderstand, but a study of the debates in Congress on the Lend-Lease Bill and the amendment of the Neutrality Act in 1941 "plainly indicates" that Democratic members of Congress did misunderstand or misrepresent the purport of President Roosevelt's policy if it was as apparently described by Mr. Berle. See above, Chaps. II and VI.

9. See above, Chap. I.

10. Beard, *op. cit.*, pp. 28 ff.

covery nor reform could be enduring in a world so rapidly rushing toward war. He was already obsessed with the dangers by which the United States was confronted. By the summer of 1941 *the dangers had become imminent*. . . . By the summer of 1941 the overwhelming issue was his need *to obtain the support of the people of the United States, and of their Congress*, for those measures which were indispensable if the United States *was to be prepared to defend herself should she be drawn into war* and if, in the meantime, she was to be able to render such assistance as was available to the British people then fighting alone against the Axis. Isolationist sentiment was still widespread. . . .¹¹

Another document furnished by Mr. Welles was more specific in respect of President Roosevelt's decision about the coming of war for the United States. After Mr. Welles had testified before the Congressional Committee on Pearl Harbor in November, 1945, a copy of his confidential memoranda of conversations at the Atlantic Conference was secured from the State Department and entered in the records of the committee.¹² Many passages of these memoranda were relative to the point of President Roosevelt's attitude toward war for the United States in August, 1941, about four months before Pearl Harbor, and one in particular bore on his expectations as to the time of the outbreak of war with Japan. In his memorandum for the morning of August 11, 1941, Mr. Welles recorded that the President, referring to the agreement with Prime Minister Churchill on parallel warnings to Japan, "expressed the belief that by adopting this course any further move of aggression on the part of Japan which might result in war could be held off for at least thirty days."¹³

11. *Where Are We Heading?* (Harper & Brothers, 1946), p. 3. (Italics supplied.) This statement, like the above-quoted passage from Mr. Berle, is couched in the elusive style employed by President Roosevelt and members of his Administration in their speeches of 1941 referring to war "dangers," as if the involvement of the United States in war would be due in no way to actions of the President, including the use of the American Navy in patrolling, convoying, and shooting. See above, Chaps. III and V. The style is to be characterized as naturally turgid or deliberately ambiguous.

12. See below, Chap. XV.

13. Davis and Lindley, in *How War Came*, reported the President as saying facetiously with regard to this point, "I think that I can baby them [the Japanese]

That President Roosevelt had made the fateful decision before the summer of 1940 was intimated by Mr. Justice Frankfurter in his memorial address at Harvard University in April, 1945:

But there came a time when he [the President] could no longer doubt that he had to shift from the task of social reform to war leadership, in order not only to maintain our spiritual heritage but to assure opportunities for further progress as a free society.

There came a moment when President Roosevelt was convinced that the utter defeat of Nazism was essential to the survival of our institutions. That time certainly could not have been later than when Mr. Sumner Welles reported on his mission to Europe [March, 1940]. Certainly from the time that the fall of France seemed imminent, the President was resolved to do everything possible to prevent the defeat of the Allies. Although confronted with the obvious danger of attack by the Axis upon us, there came that series of bold and triumphant measures which Mr. Churchill authoritatively summarized in his recent moving speech to the House of Commons—the shipment of arms to Great Britain, the stab-in-the-back speech, the base-destroyer deal, lend-lease, the smoothing of the difficult ways of the Allied purchasing missions, the encouragement of Mr. Willkie's trip to England,¹⁴ the assistance in a hundred ways of British economic warfare, the extraordinarily prompt and cordial support of Russia. Moreover, while engaged in this series of complicated moves, he so skilfully conducted affairs as to avoid even the appearance of an act of aggression on our part.

along for three months." That fixed the date line of war near the middle of November. As to time at least, the Lindley and Davis account was more accurately predictive than the less rhetorical account in Mr. Welles' memorandum. As a result of his conversations with President Roosevelt at the Atlantic Conference, Mr. Churchill decided to make dispositions of British matériel and fighting forces on the expectation that the United States, even if not attacked, would enter the war. CJC, Part 14, p. 1283, and see below, Chap. XV.

14. After the campaign was over, President Roosevelt invited Mr. Willkie to the White House for a conference. The next day he talked to Frances Perkins, Secretary of Labor, about Mr. Willkie's visit, and said to her: "You know he [Mr. Willkie] is a good fellow. He has lots of talent. I want to use him somehow . . . I don't want him right around with us. . . . But I'd like to use him, and I think it would be a good thing for the country, it would help us to a feeling of unity." In the same conversation the President expressed a low opinion of Mr. Willkie's talents as a politician and campaigner. *The Roosevelt I Knew* (Viking, 1946), pp. 117 f.

And so, in the hour of national disaster on that Sunday afternoon after Japan had struck, when the President had gathered about him his cabinet and his military chiefs, the most experienced statesman among his advisers, after watching the President's powerful and self-possessed control of the situation, could say to himself, "There is my leader."¹⁵

The question of the time when President Roosevelt accepted "the probability that the United States would have to enter the approaching European war" is treated by Alden Hatch in his *Franklin D. Roosevelt: An Informal Biography* (1947). Owing to the laudatory and imaginative nature of Mr. Hatch's work, any of his statements not otherwise supported by authentic documents, may, of course, be discounted by critics, but Mr. Hatch secured information from a number of distinguished persons, "intimates" of President Roosevelt in the prewar years; for example, Mrs. Roosevelt, Admiral William D. Leahy, Vice-Admiral Ross T. McIntire, Samuel I. Rosenman, Franklin D. Roosevelt, Jr., Josephus Daniels, Justice Felix Frankfurter, and Ernest K. Lindley.

Mr. Hatch states that Vice-Admiral McIntire was convinced that the President accepted "the probability that the United States would have to enter the approaching European war if the democratic way of life were to be saved," for the first time, just after he had received news of the Hitler-Stalin Pact in August, 1939. Mr. Hatch concedes that the President did not then say positively that such was his decision but Mr. Hatch declares this to be a reasonable assumption based on what the President actually said. This opinion, Mr. Hatch says, he checked with other advisers of the President—in addition to Vice-Admiral McIntire—and put to them the question: "When do you think that the President decided that the United States would probably have to enter the war?" In every instance, he reports, "the reply fixed the

15. Like Mr. Berle and Mr. Welles, Mr. Justice Frankfurter seems to be saying that at some point in time President Roosevelt abandoned his peace pledges to the people and decided that the country was going to war; but like Mr. Berle and Mr. Welles, Justice Frankfurter avoided saying just that in decipherable language.

time within a few weeks of that day [August 23, 1939, the date of the Hitler-Stalin Pact]." ¹⁶

Respecting President Roosevelt's calculations as to the probability of war in the Pacific, Admiral James O. Richardson was quite precise in his testimony before the Congressional Committee on Pearl Harbor in November, 1945. Admiral Richardson had been Commander in Chief of the Pacific Fleet from May 4, 1940, until relieved on February 1, 1941, by the designation of Admiral Husband E. Kimmel.¹⁷ Occupying this responsible position during those months, Admiral Richardson was anxious to learn whether war or peace was the policy in Washington. On May 22, 1940, he raised the question with his superior in the Navy Department, Admiral Stark, Chief of Naval Operations; for he felt unable to make any rational disposition of the naval forces under his command unless he knew the purposes of policy he was supposed to serve: "Are we here primarily to influence the actions of other nations by our presence? . . . Are we here as a stepping-off place for belligerent activity? If so, we should devote all our time and energies to preparing for war. . . . If we are here to develop this area as a peacetime operating base, consideration should be given to the certain decrease in the efficiency of the Fleet. . . ." ¹⁸

On October 8, 1940, Admiral Richardson had a long conversation with President Roosevelt at the White House. This was nearly a month before the President declared at Buffalo, with particular reference to a possible conflict with Japan, "Your President says this country is not going to war." At that White House conference, Admiral Richardson testified, "I took up the question of returning to the Pacific Coast all of the fleet except the Hawaiian detachment." In reply, "the President stated that the fleet was retained in the Hawaiian

16. Hatch, Foreword, and pp. 250 ff.

17. Apparently Admiral Richardson was removed from his command of the Pacific Fleet by President Roosevelt on the ground that he opposed basing the fleet at Pearl Harbor. Admiral Richardson was convinced that this policy was dangerous to the security of the United States, as, in fact, it proved to be, tragically.

18. CJC, Part 1, p. 259.

area in order to exercise a restraining influence on the actions of Japan." With respect to the "restraining influence," Admiral Richardson commented forthrightly: "Mr. President, I still do not believe it, and I know that our fleet is disadvantageously disposed for preparing for or initiating war operations." Subsequently during the conversation Admiral Richardson "asked the President if we were going to enter the war."¹⁹

This was President Roosevelt's response to the question, according to Admiral Richardson's testimony:

He [the President] replied that if the Japanese attacked Thailand, or the Kra Peninsula, or the Dutch East Indies, we would not enter the war, that if they even attacked the Philippines he doubted whether we would enter the war, but that they could not always avoid making mistakes and that as the war continued and the area of operations expanded sooner or later they would make a mistake and we would enter the war.²⁰

That Admiral Richardson was not trusting to his memory in testifying that President Roosevelt had said to him on October 8, 1940—"the Japanese would make a mistake and we

19. *Ibid.*, pp. 265 f.

20. *Ibid.*, p. 266. In his version of President Roosevelt's statement to Admiral Richardson, Alden Hatch represents the Admiral as asking "abruptly," "Are we going to war?" and the President as pondering the question and answering carefully: "Not now, even if the Japs attack Thailand, the Kra Peninsula, or the Dutch East Indies. But they can't always avoid making mistakes, and if they start this thing and then make a mistake that arouses American opinion, we will go to war." *Franklin D. Roosevelt: An Informal Biography*, p. 274. What authority did Mr. Hatch have for giving this altered form to President Roosevelt's statement? In his Foreword, Mr. Hatch stated that he received information from Admiral William D. Leahy on some matters. Admiral Leahy was present at the White House with Admiral Richardson when the President's statement was made. Was Admiral Leahy responsible for this altered version? Mr. Hatch does not say that he was. Could Admiral Leahy have been responsible for it? If so then consider what Admiral Leahy said about Admiral Richardson's conversation with the President when he testified before the Congressional Committee in 1945. President Roosevelt's statement to Admiral Richardson as quoted above was read to Admiral Leahy by Senator Ferguson who then asked whether the incident occurred. Admiral Leahy could not remember whether it had or not, but he thought that the quotation as read "would not have been in disaccord" with the President's ideas, and added, "I should think it would have been in accord with his thoughts." CJC, Part 1, pp. 356 f. If Mr. Hatch was not resorting to license in his "informality," what authority did he have for his version of President Roosevelt's statement as reported by Admiral Richardson?

would enter the war"—was made manifest by other evidence laid before the Congressional Committee on Pearl Harbor. On his return West, the Admiral wrote a letter, dated at the United States Navy Yard, Bremerton, State of Washington, October 22, 1940, to Admiral Stark, in the City of Washington, D.C. In this letter Admiral Richardson said that on the occasion of his visit to Washington, D.C., early that month, he gained a distinct impression: ". . . it now appears that more active, open steps aimed at Japan are in serious contemplation and that these steps, if taken now, may lead to active hostilities." Thereupon Admiral Richardson presented to Admiral Stark the outline of what he deemed a new "realistic" plan, adapted to meeting the contingencies envisaged in relation to the "more active, open steps aimed at Japan."

Admiral Richardson was certainly convinced that war with Japan was envisaged by President Roosevelt in October, 1940, and that this meant a revolution in the war policy of the government upon which older war plans of the Navy rested. For, in his letter of October 22, 1940, he informed Admiral Stark that on an earlier visit to Washington, in July, 1940, he had received three distinct impressions: "*First*. That the Fleet was retained in the Hawaiian area solely to support diplomatic representations and as a deterrent to Japanese aggressive action; *Second*. That there was no intention of embarking on actual hostilities against Japan; *Third*. That the immediate mission of the Fleet was accelerated training. . . ." Yet after October 8, 1940, the Admiral was so sure "we would enter the war" that he urged a thorough overhauling of naval plans to meet the consequences of the shift in the President's views.²¹

21. Admiral Richardson's letter and outline of plans are in CJC, Part 14, Exhibit 9. More than incidentally it is to be noted that in a memorandum to Mr. Knox, Secretary of the Navy, dated September 12, 1940, Admiral Richardson warned the Secretary against Navy publicity indicating that "The Fleet is fully manned, fully trained and ready to fight at the drop of a hat," and other misleading extravagances of the kind. The Admiral said to the Secretary: "The type of publicity mentioned above is wrong in that it tends to lull the public into a false sense of security. It tends to weaken their moral fibre and to create an unhealthy national morale in a country which may be drawn into war on very short notice." This warning, however, did not keep Secretary Knox from declaring repeatedly to the American people: "The Navy is ready." *Ibid.*, pp. 957 f.

Information on President Roosevelt's opinions and decisions in respect of American involvement in a war with Japan is provided by extracts from the *Diary* of the Secretary of War, Henry L. Stimson, which were placed in the records of the Congressional Committee on Pearl Harbor.²² Summaries of a few of the entries which Secretary Stimson made from day to day in November follow in chronological order:

November 6, 1941. President Roosevelt suggested to Mr. Stimson that he might propose a truce with the Japanese for six months. Mr. Stimson filed objections to this.

November 7. President Roosevelt took a vote of his full Cabinet on the proposition whether the country would back up the Administration if it struck at the Japanese in the southeastern Pacific area; and the Cabinet was "unanimous in feeling the country would support us."

November 21. Mr. Stimson had a talk with President Roosevelt about preparations to use poison gas in the Philippines in case the Japanese began to use it. The President agreed with Mr. Stimson that preparations should be made at once; and on his return to the War Department the Secretary issued instructions to General Gerow "to look up all the facts and get ready for the possible shipments with the idea that it should be done so that it would not come out in the press."

November 25. Conference of the President, Secretaries Hull, Stimson, and Knox, General Marshall, and Admiral Stark (the "War Cabinet") at the White House. President Roosevelt brought up the idea that the United States was likely to be attacked by the Japanese perhaps as soon as next Monday, December 1. Then the question before the conference was "how we should maneuver them [the Japanese] into the position of firing the first shot without allowing too much danger to ourselves."

22. The extracts from Mr. Stimson's daily notes (here called, for convenience, *Diary*), which he submitted to the Congressional Committee on request, appear in CJC, Part 11, pp. 5431 ff. Each reference to Mr. Stimson's *Diary* in this volume may be found there under the heading of the day. But my quotations are from the mimeographed copy as presented to the Congressional Committee in its original form.

November 26. Secretary Stimson called up Secretary Hull with regard to a truce with Japan then pending and Mr. Hull "replied . . . that he had about made up his mind to give up the whole thing in respect to a truce and to simply tell the Japanese that he had no further action to propose."

November 27. Secretary Hull told Secretary Stimson that he had broken off the whole matter of the truce or *modus vivendi* with the Japanese. He said to Mr. Stimson: "I have washed my hands of it and it is now in the hands of you and Knox—the Army and the Navy." [This day, war warning notices of a kind went from the War and Navy Departments to commanders of American outposts.]

November 28. War Cabinet meeting. "It was agreed that if the Japanese got into the Isthmus of Kra, the British would fight. It was also agreed that if the British fought, we would have to fight." The idea of a message to Congress and a letter of appeal to the Japanese Emperor was discussed. "The President asked Hull and Knox and myself to draft such papers."

December 7—about 2 P.M. After hearing from the President about the Japanese attack at Pearl Harbor, Mr. Stimson wrote in his *Diary*: "Now the Japs have solved the whole thing by attacking us directly in Hawaii. . . . My first feeling was of relief that the indecision was over and that a crisis had come in a way which would unite all our people. . . . I feel that this country united has practically nothing to fear; while the apathy and divisions stirred up by unpatriotic men have been hitherto very discouraging."²³

Whatever conclusion may be drawn from such evidence in respect of the point of time at which President Roosevelt decided that the United States should become involved in the war and began to act on this decision, one thing is indisputable. By the middle of November, 1941, he was not saying privately to his official entourage what he had declared publicly in 1940, such as, "Your President says this country is not going to war." On the contrary, by the middle of November, 1941, he was

23. For fuller treatment of events and views recorded by Secretary Stimson in a broader setting with regard to decisions, see below, Chaps. XVI and XVII.

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making statements to his official entourage which were pointed in one direction—war. And it is equally certain that President Roosevelt, Secretary Hull, Secretary Stimson, Secretary Knox, and Undersecretary Welles, in their war danger speeches in previous months of 1941, never said to the American people anything equivalent to what was being said in the White House behind the curtain of secrecy in November, 1941.

ADMIRAL STARK'S LETTERS ON THE PROGRESS OF WAR PLANS
AND ACTIVITIES, JANUARY–SEPTEMBER, 1941

OFFICIAL, concrete, and informative in respect of war origins for the United States are the letters of Admiral Harold R. Stark to Admiral Kimmel and other naval commanders in 1941, which were placed in the open record of the Congressional Committee on Pearl Harbor.²⁴ Admiral Stark was in a strategic position to find out what was going on in President Roosevelt's mind as to war intentions and activities. Owing to the technical responsibility of Admiral Stark, the President had to be more explicit in communicating information to him than to his political subordinates. As Chief of Naval Operations, the Admiral was charged with making plans for naval actions pointed in the direction of war and for issuing orders to the naval officers who had to do the patrolling, convoying, shooting, and fighting—the waging of war, undeclared at first and finally declared. All along Admiral Stark, therefore, was in close contact with the President, personally and as a member

24. I have used here the *mimeographed* copy of Admiral Stark's letters, entitled "Admiral H. R. Stark's Letters to Admiral H. E. Kimmel" (166 pages) as presented to the committee in its original and complete form. For reasons of its own, the management of the Congressional Committee did not print every one of Admiral Stark's letters in its "Section A: Admiral H. R. Stark's Letters to Admiral H. E. Kimmel" in its Exhibit No. 106, CJC, Part 16. For example, it omitted his letter of April 3, 1941, in which Admiral Stark said: "The question as to our entry into the war now seems to be *when*, and not *whether*" (see below, p. 425). It is true that this letter was sent to the commanders of the Asiatic Fleet and the Atlantic fleets as well as to Admiral Kimmel but it appears—marked "*SECRET*"—in the mimeographed edition and is entitled "Observations on the present international situation." Students of history should be on guard against basing conclusions solely on the voluminous *printed* record of the Congressional Committee on Pearl Harbor.

of the war group that met frequently at the White House; hence he had access to many of the inmost secrets of the War Cabinet.²⁵

It is true that Admiral Stark, as his letters show, often had difficulty in getting definite statements from President Roosevelt on designs and intentions relative to war and that he was at times apparently nonplussed, not to say impatient and provoked, by signs of indecisiveness on the part of the President. But the Admiral was loyal to his Commander in Chief and eager to get into the war as soon as feasible. And since it was the Navy that had to do the shooting and bear the first brunt of war when, as, and if it came, President Roosevelt had ample reason for keeping Admiral Stark well informed on crucial tendencies and decisions respecting war prospects and projects. Indeed, the Admiral's letters demonstrate that the President was rather free in communicating with him throughout the year.

Accordingly, Admiral Stark's letters and instructions to Admiral Kimmel and other naval officers are a primary source of concrete information bearing on President Roosevelt's war moves and on the realities of how war came for the United States—as distinguished from appearances. Inasmuch, however, as these letters are too voluminous for comprehensive treatment within the small compass of this book,²⁶ only extracts from the particularly explicit letters are given here under the successive dates.

January 13, 1941. Admiral Stark to Admiral Kimmel:

In my humble opinion, we may wake up any day with some mines deposited on our front doorstep or with some of our ships bombed, or whatnot, and find ourselves in another undeclared war, the

25. For Admiral Stark's relations to war projects from September to December 7, 1941, see Chaps. XVI and XVII, below.

26. Sometime, it is probable, a student of history with ample space at his disposal will combine in a single treatise a survey of Admiral Stark's letters and instructions, including those to Admiral J. O. Richardson, predecessor of Admiral Kimmel at Hawaii and all other documents relative to the development of American war plans and activities. See CJC, Part 14, Exhibit 9 and *Index of Exhibits*. But it is to be noted that this Exhibit does not include all the letters. It is entitled "Selected Letters." See note above, p. 420.

ramifications of which call for our strongest and sanest imagination and plans.

I have told the Gang here for months past that in my opinion we were heading straight for this war, that we could not assume anything else and personally I do not see how we can avoid, either having it thrust upon us or our deliberately going in, many months longer. And of course it may be a matter of weeks or of days. I would like to feel that I could be perfectly complacent if some day some one opens the door of my office and reports that the war is on. I have been moving Heaven and Earth trying to meet such a situation and am terribly impatient at the slowness with which things move here. Even though I know much has been accomplished, there still remains much to be done.

My estimate of the situation— . . . —which I presented to the Secretary and Rainbow 3, both of which you should have, will give you fairly clearly my own thoughts. Of course I do not want to become involved in the Pacific, if it is possible to avoid it. I have fought this out time and time again in the highest tribunals but I also fully realize that we may become involved in the Pacific and in the Atlantic at the same time; and to put it mildly, it will be one H— of a job, and that is one reason why I am thankful that I have your calm judgment, your imagination, your courage, your guts and your good head, at the seagoing end. Also your CAN DO—rather than *can't*.

In [Admiral] King, I believe you have the very best possible man to handle the situation in the Atlantic and that we can give him a free rein. He will lick things into shape and he knows the game from every standpoint. . . .

February 10, 1941. By this time the tension with Japan had reached such a point that a contest over the subject of commitments in the Pacific had been waged in the White House during the previous week. Admiral Stark fought against commitments and dispositions that would involve the country on two fronts and against sending more combatant ships to the Far East. In this contest, as reported by Admiral Stark, Secretary Hull took a contrary position and held to it tenaciously, as if unafraid of a war in the Pacific as well as in the Atlantic. Moreover, the Admiral represented President Roosevelt as

then hesitant about asking Congress for more men, although willing to approve an authorization if Admiral Stark could secure it, as his letter of February 10, 1941, reveals:

. . . I continue in every way I possibly can to fight commitments or dispositions that would involve us on two fronts and to keep from sending more combatant ships to the Far East. I had a two hour struggle (please keep this absolutely secret) in the White House this past week and thank God can report that the President still supports my contentions. You may be amused to know that the Secretary of War, Colonel Stimson, has been a very great assistance to me in this connection in recent conferences. Mr. Hull never lets go in the contrary view and having fought it so many times I confess to having used a little more vehemence and a little stronger language than was becoming in fighting it out this last week for the nth time. Present were the President, Stimson, Knox, Marshall and myself. I mention this just to show you that the fight is always on and that some day I might get upset. But thank God, to date at least, the President has and continues to see it my way.

. . . I am struggling, and I use the word advisably, every time I get in the White House, which is rather frequent, for additional men. It should not be necessary and while I have made the case just as obvious as I possibly could, the President just has his own ideas about men. I usually finally get my way but the cost of effort is very great and of course worth it. I feel that I could go on the Hill this minute and get all the men I want if I could just get the green light from the White House. As a matter of fact what we now have, was obtained by my finally asking the President's permission to go on the Hill and state our needs as I saw them at that time and his reply was "go ahead, I won't veto anything they agree to." However, the struggle is starting all over again and just remember we are going the limit, but I cannot guarantee the outcome.

February 11, 1941. Memorandum from Admiral Stark to President Roosevelt on the possibility of sending a naval detachment to the Philippines as a kind of "bluff" to the Japanese, although it involved the possibility of a Japanese attack:

Since your thought yesterday morning of the possibility of sending a detachment to the Philippines via the southern route consisting

of approximately 4 cruisers, a squadron (9) of destroyers and carriers and perhaps to permit a leak that they were going out there just for a temporary visit and then return, I confess to having pondered a good deal on it last night during the wee small hours because, as you know, I have previously opposed this and you have concurred as to its unwisdom. Particularly do I recall your remark in a previous conference when Mr. Hull suggested this and the question arose as to getting them out and your 100% reply, from my standpoint, was that you might not mind losing one or two cruisers ²⁷ (we have 2 out there now), but that you did not want to take a chance on losing 5 or 6. Frankly, I breathed a great sigh of relief and thought the issue pretty definitely closed.

You also called it a "bluff" and questioned it from that standpoint. Obviously, if we permitted a leak about their coming back, there would be even less, if any, bluff, and again if we did not permit a leak with regard to their coming back, we would then certainly look like turning tail and running if something happened and we did come back. I believe it pretty thoroughly agreed that we do not want that force in the Philippines in case of sudden attack, and that even were we to consider in emergency increasing our forces in the Far East, we would not send them to Manila Bay but rather to the southward or into Dutch East Indies where they would be better supported and not so open to attack.

Continuing his report to the President in the same letter, Admiral Stark expressed the opinion that sending a small force into the Far Pacific would probably act as no deterrent to Japan or hamper the Japanese in advancing southward. He further said:

There is a chance that further moves against Japan will precipitate hostilities rather than prevent them. We want to give Japan no excuse for coming in in case we are forced into hostilities with Germany who we all consider our major problem. . . . If we are forced into war our main effort as approved to date will be directed in the Atlantic against Germany. . . . If we send part of the Fleet to the Asiatic now, we may show our hand and lose the value of any strategic surprise.

April 3, 1941. Writing personally and confidentially to Admiral Kimmel at Hawaii, Admiral Stark said:

27. Presumably as the result of a Japanese attack.

I am more and more of opinion that Japan will hesitate to take further steps, perhaps even against Indo-China, so long as affairs do not go too badly for Britain. What the effect on her would be were the United States to transfer a large part of the Pacific Fleet to the Atlantic can, as yet, be only surmised. In any case we shall rigidly avoid making any indication that we contemplate such a transfer until the last possible moment. The question as to our entry into the war now seems to be *when*, and not *whether*. Public opinion, which now is slowly turning in that direction, may or may not be accelerated. My own personal view is that we may be in the war (possibly undeclared) against Germany and Italy within about two months, but that there is a reasonable possibility that Japan may remain out altogether. However, we can not at present act on that possibility.

April 4, 1941. Admiral Stark to Admiral Kimmel:

I am enclosing a memo on convoy ²⁸ which I drew up primarily to give the President a picture of what is now being done, what we would propose to do if we convoyed, and of our ability to do it. . . . I feel it is only a matter of time before King is directed to convoy or patrol or whatever form the protective measures take. . . . The situation is obviously critical in the Atlantic. In my opinion, it is hopeless except as we take strong measures to save it. . . . Our officers who have been studying the positions for bases in the British Isles have returned, and we have decided on immediate construction of 1 destroyer base and 1 seaplane base in Northern Ireland. We are also studying Scotland Iceland bases for further support of the Protective force for shipping in the northward approaches to Britain.

The memorandum to which Admiral Stark thus referred dealt with "Ocean Escort in Western Atlantic" and showed that the American Navy had been for some time and was then engaged in coöperating with the British in the "escort" of "convoys" in the Western Atlantic.²⁹

April 19, 1941. In a letter to Admiral Kimmel, Admiral Stark spoke of the difficulties he encountered in the White

²⁸ See above, Chap. III, for President Roosevelt's statement on April 25, 1941, to the effect that only "patrolling" was in operation at that time.

²⁹ Text of memorandum on ocean escort in Western Atlantic, CJC, Part 16, pp. 2162 f.

House with regard to the use of the Navy as an instrument of policy in the conduct of relations with Japan. Apparently President Roosevelt, supported by the State Department, wanted to employ American naval vessels for the purpose of keeping "the Japs guessing," by "popping up here and there." The President did not make clear what objective he hoped to gain by such maneuvers but it was again evident that the State Department was pertinacious in its demand for demonstrations of force against Japan, despite the fact, or on account of it, that a war incident might occur at any stage of such "tactics."

Extract from Admiral Stark's letter of April 19, 1941:

. . . I wrote you about the Australian Detachment. The President said (and incidentally when I open up to you this way I don't expect you to quote the President and I know there is nobody who can keep things secret better than you can); "Betty, just as soon as those ships come back from Australia and New Zealand, or perhaps a little before, I want to send some more out. I just want to keep them popping up here and there, and keep the Japs guessing." This, of course, is right down the State Department's alley. To my mind a lot of State Department's suggestions and recommendations are nothing less than childish (don't quote me) and I have practically said so in so many words in the presence of all concerned, but after 13 months they finally got it going. Of course I recognize some merit, if exercised with some discretion—and that is where Navy has to count on F. D. R. for reserve; so we did not have to send ships into Singapore and we did keep them on a flank to be in position to go to work or to retire if something broke. . . .

To that extent, namely, more or less in position if something broke, I acquiesced in the Australian Cruise with far more grace than I would have otherwise. I am not insensible to the advantages of a cruise of this sort, as well as to the disadvantages of interruption in training.

Now when the question of "Popping up everywhere" came and having in mind keeping on the flank, I said to the President: "How about going North?" He said: "Yes, you can keep any position you like, and go anywhere."

There was a little method in my madness as to the Northern cruise; I thought for once, if I could, I would give the State Department a shock which might make them haul back, and incidentally, that Northwest cruise has many good points. It still conforms to the flank, and a detachment on an occasional sortie up in an unexpected direction might be good ball, and if you even want to make such a cruise yourself of your own initiative, don't hesitate to ask. Of course you can see what a striking force of the composition I gave you, and known to the Japs, would mean to them, in view of their unholy fear of bombing. This striking detachment would have been right in position for most anything.

I had a broad inward smile when the State Department in effect said: "Please, Mr. President, don't let him do it"; or words to that effect. It was a little too much for them. . . .

I had hoped that with the passage of the Lend-Lease Bill we could look forward to some unity on Capitol Hill but just at present there seems to be far from that desired unity on vital issues. What will be done about convoy and many other things, and just how much a part of our Democratic way of life will be handled by Mr. Gallup, is a pure guess. From that you might think I am getting a little bit cynical, but believe it or not, that is not the case, and I am sawing wood as usual and am still cheerful.

April 26, 1941. Admiral Stark to Admiral Kimmel:

This is just to get you mentally prepared that shortly a considerable detachment from your fleet will be brought to the Atlantic.

May 14, 1941. Admiral Stark to the Commandants of twelve Naval Districts, including Admirals King (Atlantic), Kimmel (Hawaii), and Hart (Far East). Admiral Stark was still of the opinion that the question of war for the United States was "a case of only WHEN?" He transmitted speculations as to June and July and added: "It continues to be just 'Around the corner.'" Extracts follow:

You will recall my previous letter of 3 October 1940, in which I stressed readiness and not to be taken aback should somebody suddenly start depositing mines on our front doorstep, etc. etc.

I might add that I have no inside information as to what is going

to happen or when, but it seems to me now, as it did then, that it is a case of only

WHEN?

The trend of events, and public opinion certainly all tend increasingly this way.

If and when we do get in, my hunch is that Hitler would certainly, in one way or another, attack our shipping wherever he thought it would be profitable, either from a material or psychological standpoint. . . .

This is just again to remind you all of the seriousness of the present situation and of the necessity of our being ready, to the utmost extent, to use what we have or what we can improvise, should the issue suddenly be drawn.

Plans and machinery for convoy are pretty well in hand but here, too, there may be hitches or slips which, in the last analysis, may only be found by actual practice. However, convoy games on paper by those who must handle the details should be good mental exercise, and may bring to light certain correctable deficiencies. . . .

I might add that some months ago (and less than that) our studies here in the Department indicated that if we did not get into this war by March we would be fairly well off in the local defense picture; later it was put at April with assurances that in any case I could feel fairly comfortable by the first of May. Now I am told the latter part of May or maybe some time in June or the first of July. It continues to be just "Around the corner." I think the time is here now for even more personal strenuous effort by all of us, in responsible positions. . . .

May 24, 1941. Admiral Stark to Admiral Kimmel:

Day before yesterday afternoon the President gave me an overall limit of 30 days to prepare and have ready an expedition of 25,000 men to sail for, and take the Azores. Whether or not there would be opposition I do not know but we have to be fully prepared for strenuous opposition. You can visualize the job particularly when I tell you that the Azores recently have been greatly reinforced. The Army, of course, will be in on this but the Navy and the Marines will bear the brunt.³⁰

30. See below, Chap. XV for the secret proceedings relative to this matter at the Atlantic Conference.

July 7, 1941. Admiral Stark to Admiral Kimmel, giving the Commander of the Pacific Fleet "not an order, but just a thought which I wanted to transmit to you." The "thought" was that if a foreign man-'o-war told the Dutchman to stop, "I would tell the Dutchman to disregard the order," and "Moreover I would lay my ship fairly close to the Dutchman and between the Dutchman and the foreign man-'o-war and let the latter do his worst."

July 31, 1941. Admiral Stark to Captain Charles M. Cooke, with a copy for Admiral Kimmel. In this letter, Admiral Stark represented himself as pressing the President to "announce and start escorting immediately," urging that war psychology be speeded up, although as yet uncertain whether an incident in the Atlantic would result in war soon:

. . . Within forty-eight hours after the Russian situation broke, I went to the President, with the Secretary's approval, and stated that on the assumption that the Country's decision is not to let England fall, we should immediately seize the psychological opportunity presented by the Russian-German clash and announce and start escorting immediately, and protecting the Western Atlantic on a large scale; that such a declaration, followed by immediate action on our part, would almost certainly involve us in the war and that I considered every day of delay in our getting into the war as dangerous, and that much more delay might be fatal to Britain's survival. I reminded him that I had been asking this for months in the State Department and elsewhere, etc. etc. etc. I have been maintaining that only a war psychology could or would speed things up the way they should be speeded up; that strive as we would it just isn't in the nature of things to get the results in peace that we would, were we at war.

The Iceland situation may produce an "incident." You are as familiar with that and the President's statements and answers at press conferences as I am. Whether or not we will get an "incident" because of the protection we are giving Iceland and the shipping which we must send in support of Iceland and our troops, I do not know. Only Hitler can answer.

The Far Eastern situation has been considerably changed because of the entrance of Russia into the picture.

Personally, I threw into the arena that we consider along with the British a joint protectorate over the Dutch East Indies, as a move calculated to prevent further spread of war in the Far East. It is a debatable question. Certainly there can be no joy in our camp over the occupation of Indo-China . . .

August 22, 1941. Admiral Stark to Admiral Kimmel:

"There is much doing in the Atlantic in the formative stage. Thank God we should have things in full swing before long and with plans fairly complete. It has changed so many times—but now I think we at last have something fairly definite—maybe." This letter was accompanied by a long memorandum, dated August 19, 1941, on the situation and technical matters of preparations for war.

September 22, 1941. Admiral Stark to Admiral Thomas Hart, Commander of the Asiatic Fleet:

In this letter Admiral Stark described the situation in the Atlantic, briefly explained the methods of convoying employed and declared that "we are all but, if not actually, in it:"

. . . So far as the Atlantic is concerned, we are all but, if not actually, in it. The President's speech of September 11, 1941 put the matter squarely before the country and outlined what he expected of the Navy. We were ready for this; in fact, our orders had been issued.³¹

In addition to the incidents cited by the President, other and probably equally compelling reasons lay behind his decision. For some time, the British have found the problem of getting supplies across the Atlantic a difficult one. They have never had enough ships suitable for escort duty. Their forces are thinly spread and, as a result of casualties, the spreading has had to be thinner and thinner as the campaign has progressed. If Britain is to continue, she has to have assistance. She will now get it openly. King's forces, too, are thinly spread, working as he is from 20 South to the Iceland area.

In a nutshell, we are now escorting convoys regularly from the United States to points in the Iceland area, where these convoys are picked up by the British and escorted to the British Isles. In addition to our own escort vessels, the Canadians are participating.

31. See above, pp. 139 ff.

Both forces (Canadian and our own) are operating under King's direction. . . .

September 23, 1941. Admiral Stark to Admiral Kimmel on the "shooting orders" for the Atlantic and the Southeast Pacific sub-area:

. . . At the present time the President has issued "shooting orders" only for the Atlantic and Southeast Pacific sub-area.

The situation in the Pacific generally is far different from what it is in the Atlantic. The operations of raiders in the Pacific at present are not very widespread or very effective. Most of the merchantmen in the Pacific are of United States or Panamanian flag registry. Instituting any steps toward eliminating raiders outside of waters close to the continents of North and South America, might have unfavorable repercussions, which would not be worth the cost to the United States in the long run. The longer we can keep the situation in the Pacific in status quo, the better for all concerned. . . .

In reply to question (a) your existing orders to escorts are appropriate under the present situation. They are also in accordance with Art. 723 U.S. Navy Regulations; no orders should be given to shoot at the present time, other than those clearly set forth in this article. I believe there is little possibility of an Italian or German raider molesting a naval ship, but there might be another "Robin Moore" incident in the Pacific, in which case the President might give orders for action in the Pacific similar to those now in effect in the Atlantic; but that is something for the future. . . .

Regarding question (b), we have no definite information that Japanese submarines have ever operated in close vicinity to the Hawaiian Islands, Alaska or our Pacific Coast. They may have been near Wake recently. The existing orders, that is not to bomb suspected submarines except in the defensive sea areas, are appropriate. If conclusive, and I repeat conclusive, evidence is obtained that Japanese submarines are actually in or near United States territory, then a strong warning and a threat of hostile action against such submarines would appear to be our next step. Keep us informed . . .

November 7, 1941. Admiral Stark to Admiral Hart.

Events are moving rapidly toward a real showdown, both in the Atlantic and in the Pacific. The Navy is already in the war of the

Atlantic, but the country doesn't seem to realize it. Apathy, to the point of open opposition, is evident in a considerable section of the press. Meanwhile, the Senate is dragging out the debate with reference to the arming of the merchantmen. Whether the country knows it or not, *we are at war*.³²

PLANS FOR AMERICAN NAVAL OPERATIONS IN THE ATLANTIC

FOR the belief that the United States was headed in the direction of war, which he expressed in various ways and many times to naval officers between January and September, 1941, Admiral Stark had grounds other than mere conversations with President Roosevelt on war prospects. From January 29 to March 27, 1941, he was engaged in conferences with British and American Army and Navy officers, at Washington, on the task of drawing up over-all war plans for coöperation with the British Commonwealth of Nations in war, "should the United States be compelled to resort to war."³³ On April 4, he prepared for President Roosevelt a memorandum on convoys, giving him a picture of what was being done and what might be done "if we convoyed." Far more significant, however, for the actual involvement of the United States in war were Admiral Stark's preparation and execution, under the President's direction, of plans for patrolling, convoying, intervening, and "shooting" in the Atlantic, between April and November.

Although much was publicly known about warlike activities in the Atlantic between June and November, 1941, the origins and nature of these activities were obscure, at least as officially explained.³⁴ Had the "shootings" reported in the press opened with flagrant attacks by German warcraft, as represented on two critical occasions by President Roosevelt in impassioned addresses to the nation?³⁵ Or had they occurred in connection with operations undertaken by the American Navy in the execution of plans or orders drawn

32. CJC, Part 5, p. 2121. (Admiral Stark's italics.)

33. See below, pp. 442 ff. "Compelled" by what or whom, and how?

34. See above, Chaps. III and V.

35. See above, Chap. V.

and put into effect at the direction of the President? Revelations made by the American press and by the Senate Committee on Naval Affairs had indicated in October and November that the "shootings" bore some relation to the enforcement of plans authorized by President Roosevelt,³⁶ but the dates and precise terms of such plans remained among the secrets of the Navy Department, until they were brought into the open by the Congressional Committee on Pearl Harbor in 1945-46.

At a hearing of the committee, in January, 1946, Representative Gearhart raised with Admiral Stark the question of how the "shooting war" in the Atlantic came into being.³⁷ Thereupon in the course of a colloquy that ensued Admiral Stark presented to the committee a summary or digest of the plans for American naval operations in the Atlantic between April and October, 1941, in the chronological order of their development.

The colloquy ran as follows:

MR. GEARHART. Now, you testified in your written statement that the Navy was in the war in the Atlantic on the 7th day of November 1941. You remember that testimony?

ADMIRAL STARK. Yes, sir.

MR. GEARHART. If we were at war on the 7th day of November of 1941, in the Atlantic when did that war begin?

ADMIRAL STARK. I would like to say as to that statement that we were at war that it should be interpreted as in effect. We were not belligerents, we did not have the right of belligerents, but when we had orders to shoot any German or Italian on the high seas to the westward of the twenty-sixth meridian and when they in turn were attacking us and we were endeavoring to sink their attacking vessels and they were endeavoring and had wounded our vessels at that time, we were in effect engaging them and to that extent we were at war, and so far as the high seas were concerned when we actually entered the war there wasn't much change in that particular case.

On the other hand, there was at one time a request come to me to apprehend a certain vessel, a German vessel which was, we

36. See above, Chap. V.

37. CJC, Part 5, pp. 2292 ff.

found, approaching Germany with rubber and we refused to do it because of the fact that we did not have belligerent rights.

On the other hand, again as regards being in war, we were in the position of having command of Canadian vessels or they might have of ours, or we might under certain circumstances under the shooting order command British vessels, Britain being at war with Germany, or a British officer might have command of ours, so in effect I made the statement we were at war. There were certain belligerent rights technically and the thing had not been openly declared, but in the ways which the President had defined and of which he had informed the country in his speech in September,³⁸ there was war on the sea for any Axis power that came within that limit.

MR. GEARHART. Now, you described the conditions as existing on the 7th day of November 1941 as indicating a condition of war. Now, I am asking you when did the condition come into being?

ADMIRAL STARK. I think perhaps I might read a brief which I had made up thinking it might be of use to the Committee—primarily I wanted it for myself to get the sequence—of the hemispheric defense orders. . . .

MR. GEARHART. Was there an order commanding commanders of American ships in the Atlantic to fire upon German submarines or surface ships under any conditions?

ADMIRAL STARK. There was.

MR. GEARHART. Who issued that order?

ADMIRAL STARK. I did, by direction of the President.

MR. GEARHART. And when was it issued?

ADMIRAL STARK (reading):

"On October 8, 1941 by despatch 082335 the Chief of Naval Operations ordered the above outlined plan executed at 1400 G.C.T."

that is Greenwich Civil Time—

"11 October 1941. The plan remained in effect until December 11, 1941, at which time the Chief of Naval Operations by despatch 111550 ordered the above outlined plan cancelled and replaced by WPL 46, Navy Basic War Plan Rainbow No. 5."

I think it might be helpful if I would read this correspondence which lays down the sequence and is a brief.

38. See above, p. 139.

THE CHAIRMAN. Go ahead and read it, Admiral.

MR. GEARHART. I will be glad to have you do that, Admiral, with permission of the chair.

ADMIRAL STARK. It is six pages long.

MR. GEARHART. Go ahead.

ADMIRAL STARK. But it gives the picture and consolidation of a good many pages.

MR. GEARHART. All right.

The digest of war orders, or instructions, promulgated secretly between April 21, 1941, and September 26, 1941, which was presented to the Congressional Committee by Admiral Stark disclosed realities that offered a strange contrast to many statements made publicly by President Roosevelt earlier in the year, to the allegations made by sponsors of the Lend-Lease Bill in Congress, and to the amendments to the bill in respect of convoying.³⁹ For example, on January 21, 1941, the President dismissed the idea of convoying supplies to Great Britain as if out of consideration; on March 5, 1941, he said: "I am glad to reiterate the assurance that the policy under which the measure [Lend-Lease] would be operated would not be a war policy but the contrary"; and at his press conference on April 25, 1941, he "denied that the Government was considering Naval escorts for convoys" and had described his policy of "patrolling" in terms which brought it within the limitations of international law and a peace policy.⁴⁰

Admiral Stark's digest of war orders, or instructions, between April 21, 1941, and September 26, 1941, may be summarized as follows:

I. The first plan described by Admiral Stark, promulgated, at the direction of the President, April 21, 1941, and made effective in the Atlantic on April 24, if cautious and limited in form, was explicit in its direction. It did not declare that German and Italian naval vessels and aircraft entering the Western Hemisphere as *ipso facto* hostile, but "as actuated by a possibly unfriendly intent toward territory or shipping

39. See above, Chaps. II and III, *passim*.

40. See above, pp. 22, 97.

within the Western Hemisphere" (italics supplied) thus covering territory and shipping belonging to other countries with possessions in this hemisphere as well as the United States. The plan, by the use of particular phraseology, ordered the American Navy to "trail" German and Italian naval vessels and aircraft and broadcast "in plain language their movements at four hour intervals, or oftener if necessary." The American Navy was to prevent interference with United States flag shipping by belligerents, to avoid intervening in or interfering with the armed engagements of belligerents, and to give the execution of the plan "the appearance of routine exercises where departure of units from port are being made."

The text of Admiral Stark's digest of this project follows:

Navy Hemisphere Defense Plan #2 (WPL-49), promulgated April 21, 1941, issued by the Chief of Naval Operations at the direction of the President, was based on the general concept:

"Entrance into the Western Hemisphere by Naval vessels and aircraft of belligerent Powers, other than of those Powers which have sovereignty over Western Hemisphere Territory, will be viewed as actuated by a possibly unfriendly intent toward territory or shipping within the Western Hemisphere."

The General Task assigned the Navy was:

". . . warn Western Hemisphere Powers against possible impending danger, and defend United States flag shipping against attack."

The specific tasks assigned the Naval Operating Forces were:

"(a) Trail naval vessels and aircraft of belligerent Powers (other than of those Powers which have sovereignty over Western Hemisphere Territory), and broadcast in plain language their movements at four hour intervals, or oftener if necessary.

"(b) Trail merchant vessels of belligerent Powers (other than of those Powers which have sovereignty over Western Hemisphere Territory) if suspected of acting as supply vessels for, or otherwise assisting the operations of, the naval vessels or aircraft of such belligerents. Report the movements of such vessels to the Chief of Naval Operations,

"(c) Prevent interference with United States flag shipping by belligerents.

"(d) Avoid intervening in or interfering with the armed engagements of belligerents."

The above plan became effective in the Atlantic on April 24, 1941, the dispatch placing it into effect stated "The execution of this plan shall give the appearance of routine exercises where the departure of units from port are being made." (Chief of Naval Operations Dispatch 211520 of April, 1941, to Holders of WPL-49.)

II. The second plan listed by Admiral Stark, called Hemisphere Defense Plan #4 (WPL-51), was issued on July 11, 1941, at the direction of the President. The major portion of it was ordered in execution on July 26 and the remainder was not to be executed until necessary arrangements had been made. Plan #4 repeated the statement of Plan #2 that the entrance of German and Italian naval vessels and aircraft would be regarded as actuated by a "possibly" unfriendly intent toward territory and shipping within the Western Hemisphere. It incorporated passages from President Roosevelt's message to Congress respecting the occupation of Iceland.⁴¹ After these passages came a list of general and specific tasks to be executed, as follows:

The General Tasks assigned the Navy were within the Western Hemisphere and were as follows:

"(a) Insure the safety of communications with United States strategic outposts;

"(b) Insure the adequate defense of Iceland;

"(c) Defend United States and Iceland flag shipping against hostile attack or threat of attack: and

"(d) Warn Western Hemisphere Powers against possible impending danger."

When the order to execute this plan was issued, Change #1 had been incorporated. The Tasks assigned to the Atlantic Fleet were:

"(a) Protect United States and Iceland flag shipping against hostile attack, by escorting, covering, and patrolling, as required

41. See above, p. 113.

by circumstances, and by destroying hostile forces which threaten such shipping.

"(b) Escort convoys of United States and Iceland flag shipping [including shipping of any nationality which may join such convoys, between United States ports and bases and Iceland].⁴²

"(c) Provide protection and sea transportation for the initial movements and continued support of United States overseas garrisons.

"(d) Trail naval vessels and aircraft of belligerent Powers (other than of those Powers which have sovereignty over Western Hemisphere Territory and other than belligerent vessels and aircraft involved in encounters in executing a, b, and c): and broadcast in plain language their movements at four hour intervals, or oftener if necessary. Amplify such broadcasts by encrypted despatch to the Chief of Naval Operations.

"(e) Trail merchant vessels of belligerent Powers (other than those Powers which have sovereignty over Western Hemisphere Territory), if suspected of acting as supply ships for, or otherwise assisting the operations of, the naval vessels or aircraft of such belligerents. Report the movements of such vessels to the Chief of Naval Operations. . . ." ⁴³

The plan stated that Canada had made available Shelburne and Halifax as operating bases for United States Naval vessels and patrol planes, and Sydney for United States Naval vessels in case of necessity.

The Chief of Naval Operations would exchange information on movements of British and Canadian convoys and Naval forces and United States Naval forces and United States and Iceland flag shipping with the British and Canadian authorities.

On July 25, 1941, the Chief of Naval Operations by dispatch 251600 ordered the above outlined plan executed at 1200 (GCT) July 26th, except that only United States and Iceland flag shipping was to be escorted, i.e., the words in Task (b), "including shipping of any nationality which may join such convoys, between United States ports and bases, and Iceland," were not to be executed until necessary arrangements had been made.⁴⁴

42. This clause enclosed in brackets was put into effect on September 16, 1941. See below, p. 439.

43. (e) was cancelled September 13, 1941, and superseded by broad provisions for escorting and convoying.

44. See III, 1, below.

III. By a number of changes in war projects, listed by Admiral Stark, the following steps were taken in expanding the operations of the Navy:

1. August 13, 1941, instructions for the operation of convoys and escorts in the North Atlantic which were to become effective when the escort of convoys including ships of nationality other than those of United States and Iceland was ordered.⁴⁵

2. August 25, Admiral Stark, as Chief of Naval Operations, ordered the Commander in Chief of the Atlantic Fleet to interpret previous orders as requiring Atlantic Fleet forces to destroy surface raiders which attacked shipping along the sea lanes between North America and Iceland or approached these lanes sufficiently close to threaten such shipping.

3. August 28, provisions made for destruction of "surface raiders which attacked or threatened to attack United States flag shipping in the Southeast Pacific Sub-area." Instructions to the effect: "The approach of surface raiders," in the Panama Naval Coastal Frontier and the Sub-area, was to be interpreted as a threat to United States flag shipping.

4. September 3, instruction that hostile forces will be deemed to threaten United States or Iceland flag shipping "if they enter the general area of the sea lanes which lie between North America and Iceland or enter the Neutrality Zone in the Atlantic Ocean described in the Declaration of Panama of October 3, 1939."

5. September 13, effective September 16, convoy system broadened to include, besides United States and Iceland shipping, the "shipping of any nationality which may join such convoys, between United States ports and bases, and Iceland"—an "execute" for section (b) "Tasks assigned to the Atlantic Fleet," Plan #4, see above, p. 437. This order put into force "the detailed instructions for the operations of convoys and escorts" in a wide area of the North Atlantic routes.

6. September 13, Chief of Naval Operations informed the Commander in Chief of the Atlantic Fleet that "the President

45. September 13, 1941, see No. 5, below.

had modified previous instructions regarding convoy and escort, and that the United States Naval vessels could escort convoys in which there was no United States or Iceland flag vessels and that United States flag vessels could be escorted by Canadian ships."

IV. September 26, 1941, a new Western Hemisphere Defense Plan #5 (WPL-52) was issued, superseding Plan #4. This plan was to be put into effect by the Chief of Naval Operations after the Commander in Chief of the Atlantic Fleet had submitted a readiness report. On October 8 it was ordered in force as of October 11, 1941, and remained in effect until December 11, 1941, when the United States was involved in "lawful" war in the Atlantic and the Pacific. Then #5 was superseded by the Navy Basic War Plan, Rainbow No. 5, which had long been reposing in the secret files of the Navy Department, awaiting eventualities. Admiral Stark's digest of Plan #5—WPL-52, issued September 26, and in force from October 11, to December 11, 1941, follows:

Western Hemisphere Defense Plan #5 (WPL-52), issued September 26, 1941, superseded Western Hemisphere Defense Plan #4. It was to be placed into effect by the Chief of Naval Operations after Commander-in-Chief, Atlantic Fleet, had submitted a readiness report.

It stated that approximately 60 Royal Navy and Royal Canadian Navy destroyers and corvettes would be engaged in escorting convoy in the Western Atlantic Area under the strategic direction of the United States. It quoted extracts from the President's speech of September 11, such as:

"Upon our Naval and air patrol—now operating in large numbers over a vast expanse of the Atlantic Ocean fell the duty of maintaining the American policy of freedom of the seas—now. That means . . . our patrolling vessels and planes will protect all merchant ships—not only American merchant ships, but ships of any flag—engaged in commerce in our defensive waters. . . .

"From now on, if German or Italian vessels of war enter the waters, the protection of which is necessary for American defense, they do so at their own peril. 'The orders which I have given as

Commander-in-Chief of the United States Army and Navy are to carry out that policy—at once.’ ”

It is stated in the Concept of the Plan:

“It must be recognized that, under the concept of this plan, the United States is not at war in the legal sense, and therefore does not have any of the special belligerent rights accorded under United States law to States which are formally at war.

“The operations which will be conducted under this plan are conceived to form a preparatory phase for the operations of Navy Basic War Plan Rainbow No. 5 (WPL-46)” [for open and declared war].

The Tasks assigned the Atlantic Fleet were:

“(a) Protection against hostile attack United States and foreign flag shipping other than German and Italian shipping by escorting, covering, and patrolling as circumstances may require, and by destroying German and Italian Naval, Land, and Air Forces encountered.

“(b) Insure the safety of sea communications with United States and strategic outposts.

“(c) Support the defense of United States Territory and Bases, Iceland, and Greenland.

“(d) Trail merchant vessels suspected of supplying or otherwise assisting operations of German and Italian naval vessels or aircraft. Report the movements of such vessels to the Chief of Naval Operations.”

On October 8, 1941, by dispatch 082335, the Chief of Naval Operations ordered the above outlined plan executed at 1400 (GCT) October 11, 1941. This plan remained in effect until December 11, 1941, at which time the Chief of Naval Operations by dispatch 111550 ordered the above outlined plan cancelled and replaced by WPL-46 (Navy Basic War Plan, Rainbow No. 5).

After Admiral Stark had finished reading Plan #5, Mr. Gearhart resumed his questioning:

MR. GEARHART. Now, is this the order that you made pursuant to the direction of the President under which the Navy began to wage war in the Atlantic?

ADMIRAL STARK. It is the order under which we operated and under which we told the Germans, and Italians in the later stages, that if they came to the westward of the 26 Meridian, as I recall,

that their intent would be regarded as hostile and they would be dealt with accordingly, and regarding which the President had previously informed the country.

MR. GEARHART. Then pursuant to this order shells were exchanged by American surface warships carrying American flags and German submarines?

ADMIRAL STARK. Yes, sir; we attacked German submarines under this order. . . .

PLANS FOR COÖPERATION IN A GENERAL WAR

IN PREPARATION for implementing President Roosevelt's conceptions of war eventualities and contingencies in a global conflict, officers of the United States Army and Navy, in cooperation with military and naval representatives of the British Commonwealth and the Netherlands, developed at special conferences technical plans for joint action in war, when and if it came, or to use the American form of reservation "should the United States be compelled to resort to war."⁴⁶ These plans did not bind the United States to enter the war on any given contingency or set of contingencies. Such an agreement would have been in the nature of an alliance, and hence under the provisions of the Constitution called for ratification by the Senate. In form they were, the majority of the Congressional Committee on Pearl Harbor stated, the result of "technical discussion on a staff level"—"nonpolitical" in nature; practically they served as the basis for collective action in diplomacy and war.

The first of these military and naval conferences for joint action in war was opened at Washington on January 29, 1941, while the Lend-Lease Bill was pending, and closed on March 27, 1941, after the bill had been enacted into law. It was initiated by Admiral Stark, Chief of Naval Operations, and attended by American and British Army and Navy officers.⁴⁷ At this meeting, a plan for coöperation in respect of war in the

46. CJC, *Report*, p. 169.

47. Admiral Stark testified before the Congressional Committee that he initiated this meeting and did not notify the President until after he had done it. *Ibid.*, pp. 169 ff.

Atlantic and war in the Pacific—a report known as ABC-1—was perfected. The purpose of the conversations, as officially described by American authorities, was “to determine the best methods by which the armed forces of the United States and British Commonwealth, with its present allies, could defeat Germany and the Powers allied with her, should the United States be compelled to resort to war.”

In April, 1941, a second series of staff conversations was held at Singapore, referred to as ADB. This meeting was attended by military and naval representatives of the United States, Great Britain, and the Netherlands. Although this meeting was also technical in nature, the report which emerged from it contained some agreements which Admiral Stark and General Marshall regarded as having political implications, and hence they did not give it their formal approval. The Admiral and the General, however, adopted one of the Singapore proposals and jointly recommended it to President Roosevelt. This recommendation stipulated that military counteraction should be undertaken in the event that Japan attacked or directly threatened the territory or mandated territory of the United States, the British Commonwealth, or the Netherlands East Indies, or if the Japanese moved forces into Thailand west of 100° East or south of 10° North, Portuguese Timor, New Caledonia, or the Loyalty Islands.⁴⁸ This general recommendation, Admiral Stark and General Marshall incorporated in joint memoranda to the President on November 5, and again on November 27, 1941. In fact, it fitted into the diplomatic negotiations which the United States had been and was then carrying on with Great Britain, the Netherlands, and Japan.

The American-British Naval and Military conferences of January–March and April, 1941, were continuations of such discussions for coöperation in the Far East, in case of a war with Japan, begun many years previously. It had long been a part of American imperialist strategy in respect of the Orient to break the Anglo-Japanese alliance of 1902 (subsequently

48. *Ibid.*, p. 170.

renewed) and to draw Great Britain into the American line of policy against Japan. At the Washington Conference in 1921-22, the American representatives succeeded in destroying the Anglo-Japanese alliance, but as the American Secretary of State under President Hoover, Henry L. Stimson, later learned in his efforts to commit Great Britain to his scheme for collective action against Japan on account of her seizure of Manchuria in 1931, the British Government was still loath to see Japan destroyed as a makeweight in the conflict of the great Powers in Asia. Nevertheless, in spite of Secretary Stimson's defeat in 1931-32, American advocates of a "strong policy" in respect of Japan, as well as advocates of "peace" by "collective security," were unwilling to give up the idea of enlisting the help of Great Britain against Japan as hopeless.

When Franklin D. Roosevelt, as President-elect, committed himself to "the Stimson doctrine" for the Far East at a luncheon with Mr. Stimson at Hyde Park, on January 9, 1933, he had taken a fateful step leading in the direction of Pearl Harbor. His close personal adviser, Raymond Moley, who subsequently served for a time under him as Assistant Secretary of State, and Rexford Tugwell, who remained in his official family almost continuously to the end, raised with Mr. Roosevelt in January, 1933, the issue of the peril involved in his commitment to Mr. Stimson's doctrine. Writing of this doctrine later, Mr. Moley declared: "It endorsed a policy that invited a major war in the Far East—a war which the United States and England might have had to wage against Japan had England not refused to go along with Stimson."⁴⁹ But after he became President, Mr. Roosevelt reckoned with this exigency.

As early as December, 1937, shortly after his quarantine speech at Chicago, President Roosevelt sent Captain Royal E. Ingersoll, an officer in the Navy war planning division, to London for the purpose of discussing with British authorities American policy in the Far East and exploring the nature of

49. For a neglected chapter in the history of President Roosevelt's commitments, see Beard, *op. cit.*, pp. 133 ff., and sources there cited.

the aid which might be given by Great Britain in case the United States became involved in war with Japan.⁵⁰

The documents on the continuance of Anglo-American military conversations, if any, between 1938 and 1940 are not yet available. With reference to any understanding reached at such conferences, Admiral Richardson was under the impression early in 1940 that it was one-sided, that it "has little value as it affords us the use of a base in exchange for an obligation to protect about two and one-half continents."⁵¹ The Admiral admitted that there might have been "some slight exaggeration" in his estimate, but he was evidently of the opinion that the United States was not a good bargainer.

Although the results of earlier Anglo-American conversations still remain largely matters of conjecture, the outcome of the secret Anglo-American military and naval conferences of January-March and April, 1941, is a matter of the public record provided by the Congressional Committee on Pearl Harbor.⁵² So, also are the report of the January-March conference and the underlying assumptions on which American and British officers proceeded. As to these assumptions, the report reads:

The Staff Conference assumes that when the United States becomes involved in war with Germany, it will at the same time engage in war with Italy. In those circumstances, the possibility of a

50. During the public discussion of President Roosevelt's "big battleship bill," initiated in January, 1938, it was charged that Captain Ingersoll had effected some kind of naval agreement with Great Britain in London and the charge was criticized in Administration quarters. In a dissenting report, the Republican minority of the Naval Affairs Committee of the House of Representatives declared that the bill disclosed a purpose on the part of the President to pursue power politics in Asia and uphold the obsolete British-Mahan sea-power doctrine. Beard, *op. cit.*, pp. 212 ff. The bill as enacted woefully neglected the role of air power in modern sea war.

51. CJC, Part 1, p. 308; Part 14, pp. 924 ff. In a letter to Admiral Hart, Commander in Chief of the Asiatic Fleet, dated December 12, 1940, Admiral Stark authorized Admiral Hart to conduct staff conversations with the British and Dutch Supreme Commanders respecting war plans, on the assumption that there might be a war between the United States and Japan, Germany, and Italy, and that the United States, the British, and the Dutch would be Allies in such a war. Admiral Hart was warned to keep the conversations secret and to take care lest the Japanese become aware of his contact with the Dutch. *Ibid.*, Part 4, pp. 1929 ff.

52. CJC, Part 15, Exhibits 49, 50, 51.

state of war arising between Japan, and an association of the United States, the British Commonwealth and its Allies, including the Netherlands East Indies, must be taken into account. . . . Since Germany is the predominant member of the Axis Powers, the Atlantic and European area is considered to be the decisive theatre. The principal United States Military effort will be exerted in that theatre, and operations of United States forces in other theatres will be conducted in such a manner as to facilitate that effort.⁵³

On the basis of the Anglo-American military and naval understandings, the Army and Navy of the United States drew up a joint war plan in contemplation of coöperation with the British Commonwealth and its associates in a world-wide war, when, as, and if. This joint plan was approved by the Secretary of War and the Secretary of the Navy, and by the President, "except officially."⁵⁴ The spirit, purpose, and design of the joint plan were tersely set forth by Admiral Richmond K. Turner, War Plans Officer for the Chief of Naval Operations, in his testimony before the Hart Inquiry in 1944 as follows:

It was intended against the Axis Powers: Germany, Italy, Japan, and the Powers that were allied with those principal Powers. It did not include any particular participation for the purpose of the plan by the Government of China. . . . I believe it envisaged war in which either Germany and her European Allies were the sole enemies, or in which Japan was also engaged. The main basis of the plan, however, was a global war in which both Germany and her European Allies and Japan were at war with the United States, the British Commonwealth, and the Netherlands East Indies. . . . The plan contemplated a major effort on the part of both the principal associated Powers against Germany, initially. It was felt in the Navy Department, that there might be a possibility of war with Japan without the involvement of Germany, but . . . it was determined that in such a case the United States

53. CJC, Part 15, pp. 1489 ff.

54. *Ibid.*, Part 26, p. 264. Admiral Stark testified before the Congressional Committee: "I do know the President, except officially, approved of it, although it shows he was not willing to do it officially until we got into the war." *Ibid.*, Part 5, p. 2391.

would, if possible, initiate efforts to bring Germany into the war against us in order that we would be enabled to give strong support to the United Kingdom in Europe. We felt that it was incumbent on our side to defeat Germany, to launch our principal efforts against Germany first, and to conduct a limited offensive in the Central Pacific, and a strictly defensive effort in the Asiatic.⁵⁵

Recommendations based on coöperative action by Great Britain, the United States, and the Netherlands in given contingencies were set forth in a memorandum to President Roosevelt from Admiral Stark and General Marshall on November 5. They read as follows:

The Chief of Naval Operations and the Chief of Staff are in accord in the following conclusions:

(a) The basic military policies and strategy agreed to in the United States-British Staff conversations remain sound. The primary objective of the two nations is the defeat of Germany. If Japan be defeated and Germany remain undefeated, decision will still have not been reached. In any case, an unlimited offensive war should not be undertaken against Japan, since such a war would greatly weaken the combined effort in the Atlantic against Germany, the most dangerous enemy.

(b) War between the United States and Japan should be avoided while building up defensive forces in the Far East, until such time as Japan attacks or directly threatens territories whose security to the United States is of very great importance. Military action against Japan should be undertaken only in one or more of the following contingencies:

1. A direct act of war by Japanese armed forces against the territory or mandated territory of the United States, the British Commonwealth, or the Netherlands East Indies;

2. The movement of Japanese forces into Thailand to the west of 100 degrees East or south of 10 degrees North; or into Portuguese Timor, New Caledonia, or the Loyalty Islands.

(c) If war with Japan cannot be avoided, it should follow the strategic lines of existing war plans; i.e., military operations should be primarily defensive, with the object of holding territory, and weakening Japan's economic position.

55. *Ibid.*, Part 26, pp. 264 f.

(d) Considering world strategy, a Japanese advance against Kunming, into Thailand except as previously indicated, or an attack on Russia, would not justify intervention by the United States against Japan.

(e) All possible aid short of actual war against Japan should be extended to the Chinese Central Government.

(f) In case it is decided to undertake war against Japan, complete coordinated action in the diplomatic, economic, and military fields, should be undertaken in common by the United States, the British Commonwealth, and the Netherlands East Indies.

The Chief of Naval Operations and the Chief of Staff recommend that the United States policy in the Far East be based on the above conclusions.

Specifically, they recommend:

That the dispatch of United States armed forces for intervention against Japan in China be disapproved.

That the material aid to China be accelerated consonant with the needs of Russia, Great Britain, and our own forces.

That aid to the American Volunteer Group be continued and accelerated to the maximum practicable extent.

That no ultimatum be delivered to Japan.⁵⁶

In a memorandum of November 27, 1941, to President Roosevelt, General Marshall and Admiral Stark presented another version of the coöperative war project, with a new set of recommendations, as follows:

The most essential thing now, from the United States viewpoint, is to gain time. Considerable Navy and Army reinforcements have been rushed to the Philippines but the desirable strength has not yet been reached. The process of reinforcement is being continued. Of great and immediate concern is the safety of the Army convoy now near Guam, and the Marine Corps' convoy just leaving Shanghai. Ground forces to a total of 21,000 are due to sail from the United States by December 8, 1941, and it is important that this troop reinforcement reach the Philippines before hostilities commence. Precipitance of military action on our part should be avoided so long as consistent with national policy. The longer the delay, the more positive becomes the assurance of re-

56. CJC, *Report*, pp. 173 f.

tention of these islands as a naval and air base. Japanese action to the south of Formosa will be hindered and perhaps seriously blocked as long as we hold the Philippine Islands. War with Japan certainly will interrupt our transport of supplies to Siberia, and probably will interrupt the process of aiding China.

After consultation with each other, United States, British, and Dutch military authorities in the Far East agreed that joint military counteraction against Japan should be undertaken only in case Japan attacks or directly threatens the territory or mandated territory of the United States, the British Commonwealth, or the Netherlands East Indies, or should the Japanese move forces into Thailand west of 100 degrees East or south of 10 degrees North, Portuguese Timor, New Caledonia, or the Loyalty Islands.

Japanese involvement in Yunnan or Thailand up to a certain extent is advantageous, since it leads to further dispersion, longer lines of communication, and an additional burden on communications. However, a Japanese advance to the west of 100 degrees East or south of 10 degrees North, immediately becomes a threat to Burma and Singapore. Until it is patent that Japan intends to advance beyond these lines, no action which might lead to immediate hostilities should be taken.

It is recommended that:

Prior to the completion of the Philippine reinforcement, military counteraction be considered only if Japan attacks or directly threatens United States, British, or Dutch territory, as above outlined;

In case of a Japanese advance into Thailand, Japan be warned by the United States, the British, and the Dutch Governments that advance beyond the lines indicated may lead to war; prior to such warning no joint military opposition be undertaken;

Steps be taken at once to consummate agreements with the British and Dutch for the issuance of such warning.⁵⁷

Late in 1941, Admiral Hart, Commander in Chief of the American Asiatic Fleet, and Admiral Phillips, British Far Eastern Naval Commander, held meetings with a view to developing the ADB report and arrived at arrangements for counteracting the probable moves of the Japanese in the Far East. Admiral Hart's report of these conversations reached the

57. *Ibid.*, pp. 174 f.

Navy Department in Washington about 11 P.M., December 6, 1941, and were ordered in effect by the Chief of Naval Operations on December 7, after the Japanese "surprise offensive" had begun.⁵⁸

With reference to these secret military and naval understandings between the United States, the British Commonwealth, and the Netherlands, the majority of the Congressional Committee on Pearl Harbor stated:

There is no evidence to indicate that Japanese knowledge of the "ABC" and "ADB" conversations was an inducing factor to Japan's decision to attack the United States. . . . Indeed, the idea of attacking us at Pearl Harbor was conceived before these conversations were initiated. Manifestly any estimate which the Japanese made of American probable action was based on this country's long standing Far Eastern policy and the course of diplomatic negotiations, and not on nonpolitical, technical discussions on a staff level.⁵⁹

"Manifestly" this statement by the majority was pure conjecture, for the committee did not have possession of papers from the Japanese archives to support it. While, as far as records go, there is no evidence that the Japanese Government was informed about the precise terms of these contingent war plans, there is ample proof that it was acquainted with the fact that conversations were going on between the United States, Great Britain, and the Netherlands.⁶⁰ Associated Press and United Press dispatches from Japan, China, Australia, and other points in the Pacific, published in New York newspapers, freely advertised such coöperative undertakings to the general public. For example, an Associated Press dispatch dated Tokyo, November 17, 1941, reported that, in a speech to the Japanese Diet, the Japanese Foreign Minister had said that Great Britain and the United States were taking leadership in "encircling" Japan and exerting economic pressure against her. Again, an Associated Press dispatch from

58. *Ibid.*, p. 170; see also below, Chap. XVII.

59. CJC, *Report*, p. 171.

60. CJC, Parts 12 and 13 especially.

Chungking, on the same day, reported the Chinese Foreign Minister, Quo Tai-chi, as saying that "all signs point to an ABCD alliance to resist Japan."

Beyond all question, the Japanese Government knew that the United States and Great Britain were coöperating in the making of military plans, as well as in the application of economic sanctions and diplomatic pressures. Indeed, as if it had no relation to what they had said on page 171 of their Report, the majority stated on the very next page (172):

While no binding agreement existed [among the ABD Powers], it would appear from the record that the Japanese were inclined to the belief that the United States, Britain and the Netherlands would act in concert. . . . A message of December 3 which was intercepted from the Washington Embassy to Tokyo related: "Judging from all indications, we feel that some joint military action between Great Britain and the United States, with or without a declaration of war, is a definite certainty, in the event of an occupation of Thailand."⁶¹

As a matter of fact, Arthur Krock, in November, 1941, had served public notice on the Japanese special agent in Washington, Mr. Kurusu, that the United States had a "naval alliance with Great Britain, joining for all practical purposes the fleets of the two nations in the Pacific."⁶² And, while President Roosevelt and Secretary Hull, with the support of the other members of the War Cabinet, were maneuvering the Japanese into firing the first shot,⁶³ they were well aware that war would bring the ABD war plans into immediate application.

61. CJC, *Report*, p. 172.

62. See above, Chap. VII, p. 193.

63. See below, Chap. XVII, pp. 517 ff.

CHAPTER XV

Actualities of the Atlantic Conference

BESIDES lifting the curtain of appearances,¹ which had hidden the war decisions and plans of President Roosevelt,² the Congressional Committee on Pearl Harbor opened up many of the realities in the transactions at the Atlantic Conference of August, 1941. On his return from that meeting with Prime Minister Churchill, President Roosevelt had publicly announced that arrangements for expediting operations under the Lend-Lease Act had been developed, that dangers to world civilization had been considered, and that an agreement had been reached on a statement of principles, later called the Atlantic Charter;³ at the same time the President had assured the people and Congress that no "new commitments" had been made in the name of the United States and that the country was no closer to war, as a result of the Atlantic Conference.

But the Congressional Committee insisted on going behind these appearances, on getting at, if possible, the actual agreements reached at the Atlantic Conference. In November, 1945, the committee called to an open hearing the one man then available to it who could give, out of first-hand, personal knowledge, factual information on discussions and agreements of the conference. That man was Sumner Welles. Mr. Welles had been Undersecretary of State in 1941; he had served as the President's chief civilian aide at the conference; he had participated in sessions of the conference; and he had kept minutes of certain formal discussions and agreements at the conference, other than those of a military nature. At the hearing, the Congressional Committee wrung some informa-

1. See above, Chaps. II and III.

2. See above, Chap. XIV.

3. See above, Chap. IV.

tion on the conference from Mr. Welles, but not much.⁴ Going beyond with the results of this examination, the committee secured from the State Department and placed on record, December 18, 1945, the memoranda of discussions and agreements at the conference, which Mr. Welles had prepared at the time for the archives of the department.⁵

As reported by Mr. Welles in his memoranda, four basic agreements were reached by President Roosevelt and Prime Minister Churchill at the Atlantic Conference: (1) an agreement on parallel and ultimative action in respect of Japan; (2) an agreement as to the occupation of the Azores by the armed forces of the United States in coöperation with British armed forces; (3) an understanding as to a kind of world policy to be pursued, presumably, by the United States and Great Britain during and after the war—a policy incorporated in the document later known as the Atlantic Charter; and (4) an agreement on the form and language of the joint announcement to be made public by the President and the Prime Min-

4. See below, Chap. XVI, pp. 489 ff.

5. These memoranda do not cover, of course, any personal understandings reached by President Roosevelt and Mr. Churchill privately. For one of these, see above, Chap. IX, pp. 242. For texts of the memoranda, see CJC, Part 4, pp. 1784 ff. American citizens who are interested in the methods employed by the State Department in "educating" the public will derive instruction from a comparison of Mr. Welles' secret memoranda on the Atlantic Conference with the version made public by the department in 1943. In the department's report to the public on "policies and acts" 1931-41, entitled *Peace and War: United States Foreign Policy, 1931-1941*, released to the press January 2, 1943, 9 P.M., the section dealing with the Atlantic Conference, headed "Atlantic Charter," was exceedingly brief. Most of the page and a half given to the conference was taken up by the text of the Charter and a slight reference to the President's message on the subject to Congress, August 21, 1941. As to other decisions, agreements, and understandings reached by President Roosevelt and Prime Minister Churchill on that occasion, the State Department's account merely said: "At this Conference they examined the whole problem of the supplying of munitions of war, as provided by the Lend-Lease Act, for the armed forces of the United States and for the countries actively engaged in resisting aggression." In its collection of documents for the period, issued in July, 1943, also called *Peace and War*, the State Department was equally uncommunicative with regard to what was actually decided upon at the Atlantic Conference. In other words, the State Department's report for the information of the American people left them completely in the dark as to the actual agreements and understandings concluded by the President and the Prime Minister at the Atlantic Conference, and thus matched in ingenuity the best of white papers issued by foreign chancelleries.

ister at the close of the conference—a brief statement giving to the public an enigmatic version of what had transpired at the conference. It was around drafts of these commitments and problems that official discussions at the conference mainly centered, and Mr. Welles' memoranda provide minutes of conversations connected with each of the four agreements. An examination of the record of the proceedings provided by Mr. Welles' memoranda follows:

I. AGREEMENT ON PARALLEL ACTION IN RESPECT OF
JAPAN ⁶

AT THE President's dinner on August 9, 1941, the subject of "proposed parallel and simultaneous declarations" by the United States and British Governments relating to Japanese policy in the Pacific was discussed by the President, the Prime Minister, Sir Alexander Cadogan, and Mr. Welles. The following day, Sir Alexander told Mr. Welles that he had made tentative drafts of these declarations. The draft of the parallel declaration to be made by the United States, as prepared by Sir Alexander for subsequent consideration, read:

1. *Any further encroachment* by Japan in the Southwestern Pacific would produce a situation in which the United States Government would be compelled to take counter measures even though these might lead to war between the United States and Japan.

2. If *any third power* becomes the object of aggression by Japan in consequence of such counter measures or of their support of them, *the President would have the intention to seek authority from Congress to give aid to such power.* (Italics supplied.)

Sir Alexander's draft of the declaration for the United States Government was followed by similar drafts of declarations to be made to Japan by the British Government and

6. There was much haggling in the Congressional Committee over the exactness of the term "parallel," but if British action did not precisely parallel that of the United States, there can be no doubt as to use of the words "parallel and simultaneous declarations" in connection with the agreement at the Atlantic Conference.

the Netherlands Government. The draft of the British Government's project read:

Declaration by His Majesty's Government that:

1. Any further encroachment by Japan in the Southwestern Pacific would produce a situation in which His Majesty's Government would be compelled to take counter measures even though these might lead to war between Great Britain and Japan.

2. If any third Power becomes the object of aggression by Japan in consequence of such counter measures or of their support of them, His Majesty's Government would give all possible aid to such Power.

Keep the Soviet Government informed. It will be for consideration whether they should be pressed to make a parallel declaration.

As Mr. Welles was about to leave the British ship, Mr. Churchill held a brief conversation with him. Mr. Churchill said that the President had copies of the documents and in urgent language he told Mr. Welles that "such a clear-cut declaration" by the United States seemed necessary to prevent a war between Great Britain and Japan. To quote Mr. Welles' report:

He [Mr. Churchill] impressed upon me his belief that some declaration of the kind he had drafted with respect to Japan was in his opinion in the highest degree important, and that he did not think there was much hope left unless the United States made such a clear-cut declaration of preventing Japan from expanding further to the south, in which event the prevention of war between Great Britain and Japan appeared to be hopeless. He said in the most emphatic manner that if war did break out between Great Britain and Japan, Japan immediately would be in a position through the use of her large number of cruisers to seize or to destroy all of the British merchant shipping in the Indian Ocean and in the Pacific, and to cut the lifelines between the British Dominions and the British Isles unless the United States herself entered the war. He pled with me that a declaration of this character participated in by the United States, Great Britain, the Dominions, the Netherlands and possibly the Soviet Union would

definitely restrain Japan. If this were not done, the blow to the British Government might be almost decisive.

At a meeting on the morning of August 11, Mr. Churchill brought up the subject of the declaration to Japan which he wanted the President to make in conjunction with Great Britain and other governments, including the proposition that in a certain contingency the President would request from Congress authority to assist the British and Dutch Governments in their defense against Japanese aggression. Evidently the President was unwilling to accept the proposed declaration. Mr. Welles says nothing precise about this point in his account of this meeting but merely records that the President gave Mr. Churchill copies of the two statements handed to Secretary Hull by the Japanese Ambassador on August 6. After some discussion of these notes and the situation in the Far East, the President said "he felt very strongly that every effort should be made to prevent the outbreak of war with Japan."

Thereafter the President presented his plan. His project excluded the necessity of making any request to Congress for authority to act against Japan in case Great Britain went to the aid of the Netherlands East Indies in efforts to ward off Japanese aggression. But it provided that if Japan would not agree to abide by certain proposals respecting the abandonment of further military expansion, he would let the Japanese Government know "that in such event in his belief various steps would have to be taken by the United States notwithstanding the President's realization that the taking of such further measures might result in war between the United States and Japan."

Commenting on the President's suggested procedure against Japan, Mr. Churchill said that "it had in it an element of 'face-saving' for the Japanese and yet at the same time would constitute a flat United States warning to Japan of the consequences involved in a continuation by Japan of her present course." Later in the session, the Prime Minister stated that if

negotiations or conversations actually took place between the United States and Japan on the basis which had been formulated, there was "a reasonable chance that Japanese policy might be modified and that a war in the Pacific might be averted." His confidence in the power of the United States to avert a war was apparently greater than that of the President who thought the crisis could be held off "for at least thirty days."

At all events, Mr. Churchill and President Roosevelt had agreed upon a definite line of diplomatic action against Japan; and the President had committed himself to paralleling British policy in that relation and to warning Japan directly in a statement, diplomatic in form, but unequivocal in its implications.

After Mr. Churchill had declared that the President's proposal for procedure appeared to cover the situation very well, Mr. Welles expressed the opinion that the ground of action against Japan should be broadened to include her policy of aggression in the entire Pacific region, "regardless whether such policy was directed against China, against the Soviet Union or against the British Dominions or British colonies, or the colonies of the Netherlands in the Southern Pacific area." Both the President and Mr. Churchill agreed to this. Following a discussion of the parallel statements, "The President expressed the belief that by adopting this course any further move of aggression on the part of Japan *which might result in war could be held off for at least thirty days.*"⁷ (Italics supplied.)

7. This may be the origin of the statement ascribed to President Roosevelt by Davis and Lindley (p. 10): "I think I can baby them [the Japanese] along for three months." However, the limit as fixed by Mr. Wells was "at least thirty days." The statement of President Roosevelt to the Japanese Ambassador on August 17, 1941, read: "... this Government now finds it necessary to say to the Government of Japan that if the Japanese Government takes any further steps in pursuance of a policy or program of military domination by force or threat of force of neighboring countries, the Government of the United States will be compelled to take immediately any and all steps which it may deem necessary toward safeguarding the legitimate rights and interests of the United States and American nationals and toward insuring the safety and security of the United States." *Foreign Relations of the United States: Japan, 1931-1941*, II, 556 f. Thus the declaration to Japan, conceived in the spirit of the agreement of August 11,

Text of Mr. Welles' Memorandum on Conversations Relative to Parallel Action in Respect of Japan

As I was leaving the ship [August 10, 1941] to accompany the President back to his flagship, Mr. Churchill said to me that he had likewise given the President copies of these documents. He impressed upon me his belief that some declaration of the kind he had drafted with respect to Japan was in his opinion in the highest degree important, and that he did not think that there was much hope left unless the United States made such a clear-cut declaration of preventing Japan from expanding further to the south, in which event the prevention of war between Great Britain and Japan appeared to be hopeless. He said in the most emphatic manner that if war did break out between Great Britain and Japan, Japan immediately would be in a position through the use of her large number of cruisers to seize or to destroy all of the British merchant shipping in the Indian Ocean and in the Pacific, and to cut the lifelines between the British Dominions and the British Isles unless the United States herself entered the war. He pled with me that a declaration of this character participated in by the United States, Great Britain, the Dominions, the Netherlands and possibly the Soviet Union would definitely restrain Japan. If this were not done, the blow to the British Government might be almost decisive.

The Prime Minister then [August 11, 1941] said that he desired to discuss the situation in the Far East. He had with him a copy of a draft memorandum, of which he had already given the President a copy and which suggested that the United States, British and Dutch Governments simultaneously warn Japan that further military expansion by Japan in the South Pacific would lead to the taking of counter measures by the countries named even though such counter measures might result in hostilities between them and Japan, and, second, provided that the United States declare to Japan that should Great Britain go to the assistance of the Netherlands East Indies as a result of aggression against the latter on the part of Japan the President would request from the Congress of

was in the nature of a statement which, in the language of diplomacy, was "ultimative" and yet rested the case at least nominally on the rights and interests of the United States. If Mr. Welles' account is comprehensive, the possibility of action in case of a Japanese movement against the Philippines was not specifically considered.

the United States authority to assist the British and Dutch Governments in their defense against Japanese aggression.

The President gave Mr. Churchill to read copies of the two statements handed to Secretary Hull by the Japanese Ambassador on August 6.

The Prime Minister read them carefully and then remarked that the implication was that Japan, having already occupied Indochina, said that she would move no further provided the United States would abandon their economic and financial sanctions and take no further military or naval defensive measures and further agree to concessions to Japan, including the opportunity for Japan to strangle the Chinese Government, all of which were particularly unacceptable.

The President replied that that was about the picture as he saw it, that he felt very strongly that every effort should be made to prevent the outbreak of war with Japan. He stated that what he intended to do was to request Secretary Hull by radio to inform the Japanese Ambassador that the President would return to Washington next Saturday or Sunday and desired to see the Ambassador immediately upon his return. The President stated that in that interview he would inform the Japanese Ambassador that provided the Japanese Government would give the commitment contained in the first paragraph of the proposal of the Japanese Government of August 6, namely, that the Japanese Government "will not further station its troops in the Southwestern Pacific areas, except French Indochina, and that the Japanese troops now stationed in French Indochina will be withdrawn," specifically and not contingently, the United States Government, while making it clear that the other conditions set forth by the Japanese Government were in general unacceptable, the United States would, nevertheless, in a friendly spirit seek to explore the possibilities inherent in the various proposals made by Japan for the reaching of a friendly understanding between the two Governments. The President would further state that should Japan refuse to consider this procedure and undertake further steps in the nature of military expansions, the President desired the Japanese Government to know that in such event in his belief various steps would have to be taken by the United States notwithstanding the President's realization that the taking of such further measures might result in war between the United States and Japan.

Mr. Churchill immediately declared that the procedure sug-

gested appeared to him to cover the situation very well. He said it had in it an element of "face-saving" for the Japanese and yet at the same time would constitute a flat United States warning to Japan of the consequences involved in a continuation by Japan of her present course.

There was then discussed the desirability of informing Russia of the steps which would be taken as above set forth and of possibly including in the warning to Japan a statement which would cover any aggressive steps by Japan against the Soviet Union.

I stated that in my judgment the real issue which was involved was the continuation by Japan of its present policy of conquest by force in the entire Pacific region and regardless whether such policy was directed against China, against the Soviet Union or against the British Dominions or British colonies, or the colonies of the Netherlands in the Southern Pacific area. I said it seemed to me that the statement which the President intended to make to the Japanese Government might more advantageously be based on the question of broad policy rather than be premised solely upon Japanese moves in the Southwestern Pacific area.

The President and Mr. Churchill both agreed to this and it was decided that the step to be taken by the President would be taken in that sense.

The question then arose as to the desirability of the President's making reference in his proposed statement to the Japanese Ambassador to British policy in the Southern Pacific region and specifically with regard to Thailand. The President said that he thought it would be advantageous for him to be in a position at that time to state that he had been informed by the British Government that Great Britain had no aggressive intentions whatever upon Thailand. Mr. Churchill said that in this he heartily concurred.

I asked whether it would not be better for the President to be in a position to state not only that Great Britain had no intentions of an aggressive character with regard to Thailand, but also that the British Government had informed the United States Government that it supported wholeheartedly the President's proposal for the neutralization of Indochina and of Thailand.

Mr. Churchill stated that he agreed that it would be well to make an all-inclusive statement of that character with respect to British policy, that he trusted that the President would, therefore,

inform the Japanese Ambassador that he had consulted the British Government, and that the British Government was in complete accord with the neutralization proposal, and that it had likewise informed the President that it would in no event undertake any initiative in the occupation of Thailand.

It was agreed that Sir Alexander Cadogan, after further consultation with Mr. Churchill, would give me in writing a statement which the British Government was prepared to make with regard to this issue.

The President expressed the belief that by adopting this course any further move of aggression on the part of Japan which might result in war could be held off for at least thirty days. Mr. Churchill felt that if negotiations or conversations actually took place between the United States and Japan on the basis which had been formulated, there was a reasonable chance that Japanese policy might be modified and that a war in the Pacific might be averted.

II. OCCUPATION OF THE AZORES

THE second commitment made by President Roosevelt and Mr. Churchill at the Atlantic Conference pertained to combined naval and military operations in connection with a proposed occupation of the Azores by the armed forces of the United States.

This project had long been under consideration although no official announcement had been given to the public. In his testimony before the Pearl Harbor investigating committee, January 4, 1946, Admiral Harold R. Stark stated that on May 22, 1941, President Roosevelt ordered him to have the Navy ready to occupy the Azores on thirty days' notice. Our government, he explained, feared that Germany would go into Spain and Portugal, seize the Azores, and thus threaten communications. The Admiral, however, added that, although he had prepared the plans, he had not been called upon to carry them out.⁸

According to Mr. Welles' account, the issue of the Azores

8. CJC, Part 5, pp. 2309 f. See above, p. 428.

was raised at the Atlantic Conference on August 11, by President Roosevelt. The President read to Mr. Churchill a letter he had received from the Prime Minister of Portugal which, it was agreed, "made possible without any difficulty the carrying out of arrangements for the occupation of the Azores as a means of assurance that the islands would not be occupied by Germany."

Thereupon Mr. Churchill referred to "a highly secret operation" to be undertaken by the British Government in occupying the Canary Islands. He described the situation in respect of Spain and Portugal, and explained that the British Government could not conveniently assist in the defense of the Azores.

"It was therefore agreed" that, on his return to London, Mr. Churchill would notify Dr. Salazar of the British position and inform him that the British Government "desired him to request the United States for such assistance." The President agreed that, upon receipt of notification from the Prime Minister of Portugal, the United States "would send the necessary forces of occupation to the Azores" and would ask the Brazilian Government to join in dispatching at least a token force to take part in the expedition.

A supplementary agreement was then made relative to the occupation of the Cape Verde Islands. The President informed Mr. Churchill that the United States was not in a position to undertake the protection of those islands. The Prime Minister replied that the British Government could occupy the islands on the understanding that the task of protecting them would be turned over to the United States when it was in a position to assume it. Mr. Churchill further agreed that the British Navy would assist the United States in the occupation of the Azores by maintaining a large force between the mainland and the Azores while the United States was carrying out its landing operations, to protect the Americans against a possible German expedition from the mainland.

*Text of Mr. Welles' Memorandum of Conversations on the
Occupation of the Azores*

DATE:

Monday, August 11, 1941
At Sea.

SUBJECT: British-American Cooperation
PARTICIPANTS: The President.
The British Prime Minister.
Sir Alexander Cadogan, British Permanent Under
Secretary of State for Foreign Affairs.
The Honorable Harry Hopkins.
The Under Secretary of State.

The President received Mr. Churchill this morning on the *Augusta* at 11:00 A.M. There were present at the meeting Sir Alexander Cadogan, Harry Hopkins and myself.

I

The conference commenced with the subject of Portugal. The President read to Mr. Churchill the letter addressed to the former by the Prime Minister of Portugal. It was agreed by both that the contents of the letter were highly satisfactory and made possible without any difficulty the carrying out of arrangements for the occupation of the Azores as a means of assurance that the islands would not be occupied by Germany.

Mr. Churchill stated that a highly secret operation had been decided upon by the British Government, namely, the occupation of the Canary Islands during the days immediately after the September full moon. This date, as Mr. Churchill remembered it, would be about the 15th of September. The British Government were undertaking this operation with full knowledge that the islands had been recently heavily fortified and that a very large number of German officers were engaged there in the training and preparation of the Spanish troops. It was undertaken with the further realization that this step would almost inevitably involve a Spanish attack either in conjunction with or upon the instigation of German military forces and that such attack would render untenable by the British Navy the harbor of Gibraltar. The British Government, however, had decided upon the step in view of its

belief that the situation in Spain from the British standpoint was going from bad to worse and that Hitler almost inevitably would undertake the occupation of Spain and Portugal with the subsequent penetration of North Africa if any collapse took place on the part of the Russian Army or even if a winter stalemate resulted. In that event, Mr. Churchill stated Gibraltar would be isolated anyway and the occupation by Great Britain of the Canary Islands was of the utmost importance in guarding a Southern Atlantic convoy route into the British Isles.

In view of this operation, the British Government would not be in a position conveniently to carry out the commitment they had made to the Portuguese Government to assist in the defense of the Azores.

In view of the contents of Dr. Salazar's letter to the President, it was therefore agreed that the British Government immediately upon the return of Mr. Churchill to London would notify Dr. Salazar that the British Government could not conveniently undertake to assist in the defense of the Azores and would further inform Dr. Salazar that they therefore desired him to request the United States for such assistance. It was agreed on the part of the President that immediately upon the receipt of such notification from Dr. Salazar the United States would send the necessary forces of occupation to the Azores and that the Brazilian Government would be simultaneously requested to send at least a token force to take part in the expedition.

The President stated to Mr. Churchill that in view of our present military situation if the United States undertook to occupy the Azores it would not be in a position in the near future at least to undertake the protection of the Cape Verde Islands. Mr. Churchill stated that the British Government would be in a position to occupy the Cape Verde Islands with the understanding that it would later turn over the protection of those islands to the United States at such time as the United States was in a position to take those measures. Mr. Churchill further stated that during the time that the United States was landing the necessary forces in the Azores, the British Navy would maintain a large force between the Azores and the mainland of Portugal in order to render impossible the sending of any German expeditionary forces should Portugal at that time be already occupied by Germany.

III. AMERICAN AND BRITISH WORLD POLICY—"THE ATLANTIC CHARTER"

THE third item on which President Roosevelt and Mr. Churchill agreed at the Atlantic Conference was the policy which they were to pursue in connection with the overthrow of Nazi tyranny and the peace settlement to follow.

The discussion of this issue at the conference turned in part on the fifth proposition in Mr. Churchill's draft of a joint declaration of principles to be issued after the meetings came to an end. As Mr. Churchill had framed it, the proposition read: "Fifth, they seek a peace which will not only cast down forever the Nazi tyranny but *by effective international organization* will afford to all States and peoples the means of dwelling in security within their own bounds and of traversing the seas and oceans without fear of lawless assault or need of getting burdensome armaments." (Italics supplied.)

A discussion of this matter occurred at the morning meeting on August 11, 1941. Mr. Churchill inquired "whether the President would not agree to support some kind of 'effective international organization' as suggested by the Prime Minister in his original draft of the proposed joint declaration." The President replied "that he did not feel that he could agree to this," and gave two reasons for his dissent. In the first place, it was "because of the suspicions and opposition that such a statement on his part would create in the United States." In the second place, the President said that he himself "would not be in favor of the creation of a new Assembly of the League of Nations, at least until after a period of time had transpired and *during which an international police force composed of the United States and Great Britain* had had an opportunity of functioning." (Italics supplied.)

Coupled with the discussion of the fifth proposition in Mr. Churchill's original list, relative to an effective international organization, was a consideration of a seventh proposition, the exact form and fulness of which are not disclosed in Mr. Welles' memorandum presented to the Congressional Com-

mittee on Pearl Harbor. In his entry for the afternoon of August 11, Mr. Welles says that the seventh proposition contained a clause "declaring for the disarmament of nations which undertook aggression outside their frontiers."

During their sessions on the morning of the 11th, Mr. Churchill said "that he did not feel that he would be candid if he did not express to the President his feeling that point seven would create a great deal of opposition from the extreme internationalists." President Roosevelt replied "that he realized that, but that he felt that the time had come to be realistic and that in his judgment the main factor in the seventh point was complete realism." Apparently Mr. Churchill himself had little regard for the opinions of "extreme internationalists," for he immediately "remarked that, of course, he was wholeheartedly in favor of it [point seven] and shared the President's view."

At a meeting on the afternoon of August 11, Sir Alexander Cadogan stated to Mr. Welles that the Prime Minister felt very strongly—"perhaps exaggeratedly"—about the opposition which would be created on the part of a certain pro-League of Nations group in England to the contents of point seven. Sir Alexander, however, said that there would not be the amount of opposition which the Prime Minister anticipated. But Sir Alexander

nevertheless thought that *it would be a tragic thing to concentrate solely upon the transition period after the war was ended when some kind of joint police power would have to be exercised by the British and by the United States Governments and omit any reference to the need of the creation of some effective and practicable international organization which would function after the transition period was concluded.* (Italics supplied.)

With this view Mr. Welles expressed himself as "in full agreement" but that "the matter would have to be determined by the President."

Subsequently, on the afternoon of August 11, Mr. Welles had a long conversation with President Roosevelt, in the course of which the President's world policy for the period

following the war was explored. Mr. Welles raised a question with regard to the proposed declaration that it is essential that aggressor nations be disarmed, and suggested that this declaration might raise "a very considerable opposition on the part of extreme isolationists in the United States." Mr. Welles then explained his grounds for this opinion:

I said that if a great Power like the United States publicly declares that something is essential, *the inference is that the Power is going to do something itself about it.* I said it appeared to me more than likely that the isolationists will insist that this public statement by the President meant that the United States would go to war in order to disarm not only Germany but even possibly Japan and *theoretically, at least, even the Soviet Union if that country should later once more embark upon aggression on its neighbors.* (Italics supplied.)

President Roosevelt apparently did not share Mr. Welles' view that isolationists and the people of the United States would infer from the clause relative to disarming aggressors that the United States was going into the war in order to achieve that disarmament. To Mr. Welles' reasoning the President replied

that the whole intent of point seven, as he saw it, was to make clear what the objective would be *if the war was won* and that he believed people in the United States would take that point of view. He further said he felt the realism inherent in article seven was one which would be apparent to the enormous majority of the American people and that they would enthusiastically support the need for the disarmament of aggressor nations. (Italics supplied)

Evidently the President did not think that the language of the point in question would be interpreted at home as meaning that the United States was going to war in order to achieve that end; or, if he did, Mr. Welles made no record of any statement to that effect.

Then Mr. Welles took up with the President the issue of a world organization and the policing of the world by the

United States and Great Britain during a transition period of uncertain duration. Mr. Welles said to the President: "I also had been surprised and somewhat discouraged by a remark that the President had casually made in our morning's conference—if I had understood him correctly—which was that nothing could be more futile than the reconstitution of such a body as the Assembly of the League of Nations." With reference to the President's idea of a transition period "during which Great Britain and the United States would undertake the policing of the world," Mr. Welles entered a mild dissent:

It seemed to me that it would be enormously desirable for the smaller Powers to have available to them an Assembly in which they would all be represented and in *which they could make their complaints known* and join in *recommendations* as to the policy to be pursued by the major Powers who were doing the police work. I said it seemed to me that an organization of that kind would be *the most effective safety value* that could be devised. (Italics supplied.)

To Mr. Welles' conception of a league assembly which would allow the smaller powers to voice their complaints and make recommendations as to policies, President Roosevelt offered no objections. On the contrary he "agreed fully" and explained that by his remark during the morning session he intended to make clear his belief "that a transition period was necessary and that during that transition period *no organization such as the Council or the Assembly of the League* could undertake the powers and prerogatives *with which they had been entrusted during the existence of the League of Nations.*" (Italics supplied.)

Mr. Welles still insisted that some kind of hearing or voice should be accorded to some of the smaller powers. He agreed that "*the United States and Great Britain were the only Powers which could or would exercise the police trusteeship.*" But he was of the opinion that "it would be impossible if such a trusteeship were set up to exclude therefrom the other American republics, or, for that matter, the countries at present oc-

cupied such as Norway, the Netherlands, and even Belgium.” (Italics supplied.)

Apparently the President was somewhat impressed by Mr. Welles’ argument but not enough to warrant altering his general conclusion as to committing to the United States and Great Britain the function of policing the world during the transition period and excluding therefrom any such bodies as the Council or Assembly of the League of Nations. He noted the difficulty raised by Mr. Welles and said “he felt that a solution for this difficulty could probably be found through the *ostensible* joining with Great Britain and the United States of those Powers” mentioned by Mr. Welles. He added, however: “But it would have to be recognized that *it would only be ostensible* since none of the nations mentioned would have the practical means of taking any effective or, at least, considerable part in the task involved.” (Italics supplied.) At this point evidently Mr. Welles surrendered, for he recorded no further discussion of the delicate topic.

Text of Mr. Welles’ Memorandum of Conversations on British-American World Policy—The Atlantic Charter

[At the meeting, Sunday, August 10, Sir Alexander Cadogan presented to Mr. Welles a draft of a proposed joint declaration to be made public by the President and the Prime Minister at the end of the Atlantic Conference. The draft read as follows:]

“The President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty’s Government in the United Kingdom, being met together to resolve and concert the means of providing for the safety of their respective countries in face of Nazi and German aggression and of the dangers to all peoples arising therefrom, deem it right to make known certain principles which they both accept for guidance in the framing of their policy and on which they base their hopes for a better future for the world.

“First, their countries seek no aggrandizement, territorial or other;

"Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

"Third, they respect the right of all peoples to choose the form of government under which they will live; they are only concerned to defend the rights of freedom of speech and of thought without which such choosing must be illusory;

"Fourth, they will strive to bring about a fair and equitable distribution of essential produce not only within their territorial jurisdiction but between the nations of the world.

"Fifth, they seek a peace which will not only cast down forever the Nazi tyranny but by effective international organization will afford to all States and peoples the means of dwelling in security within their own bounds and of traversing the seas and oceans without fear of lawless assault or need of getting burdensome armaments."

I [Mr. Welles] then gave the President [morning session, August 11], Mr. Churchill and Sir Alexander Cadogan copies of a redraft which I had made this morning of the proposed joint declaration before Mr. Churchill had arrived and had had an opportunity of going over it with the President, and the latter had approved it. Mr. Churchill then commenced to read it. He suggested that there be inserted in the text of the third point before the word "self-government" the words "sovereign rights and." This was agreed upon.

Mr. Churchill then read the fourth point which ran as follows: "Fourth, they will endeavor to further the enjoyment by all peoples of access, without discrimination and on equal terms, to the markets and to the raw materials of the world which are needed for their economic prosperity."

He immediately inquired whether this was meant to apply to the terms of the Ottawa agreements. I replied that, of course, it did, since the policy which the United States Government had been pursuing for the better part of nine years had been addressed primarily towards the removal of all of those artificial restrictions and controls upon international trade which had created such tragic havoc to world economy during the past generation. I said I understood fully the immediate difficulties which this occasioned him, but I pointed out that the phraseology was "they will endeavor to further" and that this naturally did not imply a formal

and immediate contractual obligation on the part of his Government. The President stated that he believed the point was of very great importance as a measure of assurance to the German and Italian peoples that the British and the United States Governments desired to offer them, after the war, fair and equal opportunity of an economic character.

The Prime Minister said that, of course, he was without any power himself to agree upon this point. He set forth in considerable detail the position of the United Kingdom vis-à-vis the Dominions and emphasized his inability, without the agreement of the Dominions, to enter into the proposed declaration insofar as this point was concerned. He said that insofar as he himself was concerned the issue was one with which his own personal life history was connected. He referred to the days at the outset of the century when Joseph Chamberlain first brought up the proposal for Empire preferences and the predominant part which this issue had played in the political history of Great Britain during the past forty years. He said that he felt that the proposal as now phrased would have the enthusiastic support of all the liberals everywhere. He said that he himself was heartily in accord with the proposal and that he himself had always been, as was well known, emphatically opposed to the Ottawa agreements. He said, however, that it would be at least a week before he could hope to obtain by telegraph the opinion of the Dominions with regard to this question.

Harry Hopkins then suggested that Sir Alexander Cadogan and I be requested to draft new phraseology which would take care of these difficulties and prevent the delay of which Mr. Churchill spoke. He said it was inconceivable that the issuance of the joint declaration should be held up by a matter of this kind.

I said that in my own judgment further modification of that article would destroy completely any value in that portion of the proposed declaration. I said that it was not a question of phraseology, that it was a question of a vital principle which was involved. I said that if the British and the United States Governments could not agree to do everything within their power to further, after the termination of the present war, a restoration of free and liberal trade policies, they might as well throw in the sponge and realize that one of the greatest factors in creating the present tragic situation in the world was going to be permitted

to continue unchecked in the post-war world. I said that the trade policies of the British Empire during the latter portion of the nineteenth century had, I felt, contributed enormously to the sane and prosperous condition of the world at that time, and that, of course, I realized that the tariff policies pursued by the United States and many other countries during that period had played an important part in the creation of the evils which had sprung up after the last war. I said, however, that it seemed to be imperative that we try to agree now upon the policy of constructive sanity in world economics as a fundamental factor in the creation of a new and better world and that except through an agreement upon such a policy by our two governments there would be no hindrance whatever to a continuation later to the present German practices of utilizing their trade and financial policies in order to achieve political ends.

Mr. Churchill agreed very emphatically to this policy. He and Sir Alexander Cadogan both agreed that it was not a question of phraseology, but that they were up against a material obstacle which Mr. Churchill had already indicated. The Dominions would have to be consulted. It might well be that an agreement could not be had from the Dominions and that consequently the proposed joint declaration could only be issued some time after news of the meeting between the President and the Prime Minister had been given out. Mr. Churchill suggested that the inclusion before the phrase "they will endeavor to further" of the phrase which would read "with due regard for our present obligations" might ease the situation.

The President suggested, and Mr. Churchill agreed, that the latter would try and draft some phraseology which would make that situation easier, and it was arranged that I would call later in the afternoon upon the Prime Minister and Sir Alexander Cadogan to go over with them such redraft as they might have in mind.

Mr. Churchill was in entire accord with points five and six.

He then read point seven and after discussion at the meeting of this point it was agreed that the phrase "to use force" be replaced by the word "aggression" in the second sentence of the seventh point.

Mr. Churchill said that, of course, he was heartily and enthusiastically in favor of this point seven, which had been initiated by the President. He inquired, however, whether the President would

not agree to support some kind of "effective international organization" as suggested by the Prime Minister in his original draft of the proposed joint declaration.

The President replied that he did not feel that he could agree to this because of the suspicions and opposition that such a statement on his part would create in the United States. He said that he himself would not be in favor of the creation of a new Assembly of the League of Nations, at least until after a period of time had transpired and during which an international police force composed of the United States and Great Britain had had an opportunity of functioning. Mr. Churchill said that he did not feel that he would be candid if he did not express to the President his feeling that point seven would create a great deal of opposition from the extreme internationalists. The President replied that he realized that, but that he felt that the time had come to be realistic and that in his judgment the main factor in the seventh point was complete realism. Mr. Churchill then remarked that of course he was wholeheartedly in favor of it and shared the President's view.

The meeting then broke up and I arranged with the President that I would drop by to see him after my conference later in the afternoon with the Prime Minister. The latter stated that he would not be able to leave until at least 5:00 P.M., tomorrow, August 12 and that as he felt it of importance to reach a complete meeting of minds with the President upon all of the issues involved, that he would be willing to spend an additional twenty-four hours should that be necessary.

I [Mr. Welles] went by arrangement to see Sir Alexander Cado-gan on the PRINCE OF WALES this afternoon [August 11, 1941]. He gave me to read memoranda which he had already completed on the conference between the Prime Minister and the President this morning and, with a few changes which I indicated, they appeared to be a correct presentation of the discussion and of the agreements reached.

With regard to the draft of the joint declaration, Sir Alexander told me that the Prime Minister had already radioed to London the text of the proposed joint declaration incorporating therein modifications of points four and seven. Sir Alexander gave me the revised text to read. Inasmuch as the Prime Minister's draft of point four was far broader and more satisfactory than the mini-

num which the President had instructed me, after our conference of the morning, to accept, I raised no objection thereto, and with regard to the proposed change in point seven I stated that while it was completely satisfactory to me and entirely in accord with my own way of thinking I had no idea what the President's decision might be. I said that I would have to submit it to him.

Sir Alexander stated that the Prime Minister felt very strongly—perhaps exaggeratedly—the opposition which would be created on the part of a certain pro-League-of-Nations group in England to the contents of point seven declaring for the disarmament of nations which undertook aggression outside of their frontiers. He went on to say that while he believed there would not be the amount of opposition which the Prime Minister anticipated he nevertheless thought that it would be a tragic thing to concentrate solely upon the transition period after the war was ended when some kind of joint police power would have to be exercised by the British and by the United States Governments and omit any reference to the need of the creation of some effective and practicable international organization which would function after the transition period was concluded. I said that as I had already indicated while I was in full agreement with his own views the matter would have to be determined by the President.

We discussed the desirability of informing the Chinese Government of the steps which the United States Government in the person of the President was taking with regard to Japan. I said that while I felt very definitely that every effort should be made to keep China closely informed of what was being done in her interest by Great Britain and by the United States I wondered whether telling China of what the President intended to state to the Japanese Government at this particular moment would not mean that the Government at Chungking for its own interests would make public the information so received. If publicity resulted, I stated I feared that the extreme militaristic element in Tokio and that portion of the Tokio press which was controlled by Germany would immediately take advantage of the situation so created to inflame sentiment in Japan to such an extent as to make any possibility remote, as it might anyhow be, of achieving any satisfactory result through negotiation with Japan. Sir Alexander said he was entirely in accord and would be governed by those views. He said, of course, I realized how terribly persistent the

Chinese were and that the present Ambassador in London, Dr. Wellington Koo, would undoubtedly press him day in and day out to know what had transpired at the meeting between the Prime Minister and the President with regard to China. He said that he felt that the best solution was for him merely to say in general terms that the two governments had agreed that every step should be taken that was practicable at this time for China and its defense and avoid going into any details.

I subsequently went to see the President. The President said that he was entirely in accord with the redraft of point four which was better than he had thought Mr. Churchill would be willing to concede. He also accepted without question the amendment made by Mr. Churchill to point seven and the President said that it seemed to him entirely desirable since the amendment made it clear that once the war was over a transition period would have to take place and that the permanent international organization would only be set up after that experimental period had passed. He had jotted down certain minor changes in the text of the proposed joint declaration, most of which were merely verbal changes for the purpose of clarification.

I said I felt it necessary for me to ask him whether he did not believe that a very considerable opposition on the part of extreme isolationists in the United States would result from that portion of point seven which declares in the judgment of the United States that it is essential that aggressor nations be disarmed. I said that if a great Power like the United States publicly declares that something is essential, the inference is that the Power is going to do something itself about it. I said it appeared to me more than likely that the isolationists will insist that this public statement by the President meant that the United States would go to war in order to disarm not only Germany but even possibly Japan and theoretically, at least, even the Soviet Union if that country should later once more embark upon aggression on its neighbors. The President replied that the whole intent of point seven, as he saw it, was to make clear what the objective would be if the war was won and that he believed people in the United States would take that point of view. He further said he felt that realism inherent in article seven was one which would be apparent to the enormous majority of the American people and that they would enthusiastically support the need for the disarmament of aggressor nations.

I said I also had been surprised and somewhat discouraged by a remark that the President had casually made in our morning's conference—if I had understood him correctly—which was that nothing could be more futile than the reconstitution of a body such as the Assembly of the League of Nations. I said to the President that it seemed to me that if he conceived of the need for a transition period upon the termination of the war during which period Great Britain and the United States would undertake the policing of the world,⁹ it seemed to me that it would be enormously desirable for the smaller Powers to have available to them an Assembly in which they would all be represented and in which they could make their complaints known and join in recommendations as to the policy to be pursued by the major Powers who were doing the police work. I said it seemed to me that an organization of that kind would be the most effective safety valve that could be devised.

The President said that he agreed fully with what I said and that all that he had intended by the remark he made this morning was

9. Mr. Welles' memorandum containing this reference to the "policing of the world" by Great Britain and the United States during a transition period after the war proved to be somewhat embarrassing to defenders of President Roosevelt, when released to the public late in 1945. Representatives of the Russian Government in the United States probably heard about it in Washington. It evidently troubled Mr. Welles himself, for in his book, *Where Are We Heading?* (Harper and Brothers, 1946), he offers an explanation: "It will, of course, be noted that the President made no reference to the Soviet Union. But it must be remembered that in the early days of August, 1941, the Soviet Union had only just been invaded by the Nazi armies. The highest military authorities were continually advising the President not only that the Soviet Union could resist the German onslaught for but a brief period, but also that the occupation of the whole of Russia west of the Urals was inevitable. It must also be remembered that relations between the United States and the Soviet Union, particularly during the period of the German-Soviet agreement, had been practically nonexistent. Our knowledge of the views of the Kremlin about the future establishment of world order or, for that matter, about any other aspect of Russian foreign policy was very slight" (pp. 5 f.). Chap. I of this volume by Mr. Welles deals with the Atlantic Conference. Since the Congressional Committee on Pearl Harbor had forced the publication of his memoranda on conversations and agreements at the conference, he evidently felt moved to enter into certain elucidations. Whether his explanation of the failure of President Roosevelt and Mr. Churchill to bring the Soviet Union into the work of "policing the world" after the war mollified any of the feelings or suspicions the Russian Government may have had on the subject must be left to further exploration when and if Russian archives are ever opened to students. Mr. Welles says (p. 18) that some of the statements in his memoranda have been lifted out of their context and used "to charge that the President was *at heart* an isolationist." (Italics supplied.) Since the context is reproduced in this Chapter, readers may form their own judgments.

to make clear his belief that a transition period was necessary and that during that transition period no organizations such as the Council or the Assembly of the League could undertake the powers and prerogatives with which they had been entrusted during the existence of the League of Nations.

I further said that while from the practical standpoint I was in agreement that the United States and Great Britain were the only Powers which could or would exercise the police trusteeship and that it seemed to me that it would be impossible if such a trusteeship were set up to exclude therefrom the other American republics or for that matter the countries at present occupied such as Norway, the Netherlands, and even Belgium. The President said that he felt that a solution for this difficulty could probably be found through the ostensible joining with Great Britain and the United States of those Powers, but it would have to be recognized that it would be ostensible since none of the nations mentioned would have the practical means of taking any effective or, at least, considerable part in the task involved.

I said that it seemed to me that now that the text of the joint declaration had been agreed upon, since I assumed from what Mr. Churchill had told me that the British Government would support his recommendations with regard thereto, all that was left to do in the way of drafting was the preparation of the brief statement which would be issued simultaneously in London and at Washington announcing that the President and the Prime Minister had met, referring to the discussions under the Lease-Lend Act and the inclusion at the termination thereof of the text of the joint declaration. I said that Mr. Churchill had told me that he had cabled his Government that he was not leaving Argentia until Wednesday afternoon and said it seemed to me that everything could be definitely agreed upon and cleared up by 1:00 P.M. tomorrow, and I could see no practical reason for waiting another twenty-four hours. The President agreed and said that he would try and get a decision reached in that sense when he saw Mr. Churchill this evening.¹⁰

10. According to Elliott Roosevelt, who was at the Atlantic Conference as his father's son (*As He Saw It* [Duell, Sloan & Pearce, 1946], Chap. II), sharp, even bitter, conflicts occurred there between the President and the Prime Minister; the President attacked the British Empire on the ground that its colonial peoples, as a result of British policy, were backward; he also declared that they could not fight a war against fascist slavery and at the same time "not work to free people

IV. FORM AND LANGUAGE OF THE JOINT
ANNOUNCEMENT

BESIDES framing agreements and commitments, President Roosevelt and Prime Minister Churchill had to consider the form and language in which their respective announcements to the public were to be couched. This task was made easier after Mr. Churchill agreed to omitting any reference to an "effective world organization" and substituting the words "the establishment of a wider and permanent system of general security." But the Prime Minister remembered that the British people were asking "How soon is the United States coming into the war" and expecting from him something more than a statement of fine principles unsupported by any definite commitments on the part of President Roosevelt.¹¹ To meet this situation, delicate at best, Mr. Churchill, in his original draft of the preamble to the joint declaration had proposed to announce that the President and he

being met together *to resolve and concert the means of providing for the safety of their respective countries in face of Nazi and German aggression and of the dangers to all peoples arising therefrom*, deem it right to make known certain principles *which they both accept for guidance in the framing of their policy* and on which they base their hopes for a better future for the world. (Italics supplied.)

While Mr. Churchill "dreamed of, aimed at, and worked for" a union of the United States and the British Commonwealth of Nations in the war, as he said later,¹² he was familiar with the American constitutional system which imposed limits on the power of the President to take the country directly and

all over the world from a backward colonial policy" (p. 37). As the son reported the contest, the Prime Minister was "a real old Tory, of the old school" (p. 38), and the President was bent on raising the standard of life for all oppressed peoples in the colonial world. Interested citizens of the United States will doubtless want to test the accuracy of Elliott Roosevelt's reporting against the methodical account supplied by Mr. Welles' memoranda.

11. See above, Chap. IV, p. 131.

12. Mr. Churchill's broadcast, February 15, 1942. *Voices of History, 1942-1943*, pp. 143 ff.

openly into the armed conflict by personal action. The nature of this system Mr. Churchill recognized when, in his draft of parallel communications to Japan, he wrote: "If any third Power becomes the object of aggression by Japan in consequence of such counter measures or of their support of them, the President would have the intention to seek authority from Congress to give aid to such power." Though he was unable to obtain the President's consent to follow that course, Mr. Churchill, nevertheless, felt the desirability, if not the necessity, of having some definite gains to report at home after the Atlantic Conference had come to an end.

But as soon as he brought up for discussion, on the morning of August 11, the proposed joint declaration to be made public at the conclusion of the conference, President Roosevelt presented his own plan which differed in important respects from the Prime Minister's project. According to Mr. Welles' memorandum, the President then said "he believed the best solution of this problem" would be "an identic statement" to be made in London and the United States,

to the effect that the Prime Minister and the President had met at sea, accompanied by the various members of their respective staffs; that these members of the two Governments had discussed the question of aid under the terms of the Lease-Lend Act to nations resisting aggression, and that *these military and naval conversations had in no way involved any future commitments between the two Governments, except as authorized under the terms of the Lease-Lend Act*; that the Prime Minister and the President had between them discussed certain principles relating to a better future for the world and had agreed upon a joint declaration which would then be quoted verbatim. (Italics supplied.)

The Prime Minister was evidently disturbed by the President's limited proposal for, as Mr. Welles' recorded, "Mr. Churchill dissented very strongly from *the form* in which the President had desired to make it clear that *no future commitments had been entered into*." (Italics supplied.) After all they had, in fact, reached agreements as to the occupation of the Azores and the Cape Verde Islands and parallel diplomatic

actions in respect of Japan. It is true that the President's proposed form of statement excluded these commitments, for they had not been made at the "military and naval conversations" but at conversations which could be regarded as diplomatic in nature, although they involved military and naval operations. But Mr. Churchill apparently overlooked the distinction.

At all events, President Roosevelt was insistent. He replied to Mr. Churchill's dissent by declaring that "that portion of the proposed statement was of extreme importance *from his standpoint* inasmuch as a statement of that character would make it impossible for extreme isolationist leaders in the United States to allege that *every kind of secret agreement had been entered into during the course of these conversations.*" (Italics supplied.)

In reply "Mr. Churchill said that he understood that side of the question, but that he believed that any categorical statement of that character would prove deeply discouraging to the populations of the occupied countries and would have a very serious effect upon their morale. He likewise made it clear that a similar effect would be created by British public opinion." Taking cognizance of the President's desire to keep the public statement within the limits of the authority granted to him by the Lease-Lend Act, Mr. Churchill "asked if the statement could not be worded in such a way as to make it *positive rather than negative*, namely, that *the members of the staffs* of the Prime Minister and of the President had *solely discussed questions relative to the furnishing of aid to the countries resisting aggression under the terms of the Lease-Lend Act.*" (Italics supplied.)

Mr. Churchill's countersuggestion met President Roosevelt's requirements. "The President replied that he believed that the statement could be drawn up in that way and that *if we were then queried in the United States he need merely reply that nothing had been discussed or agreed upon other than that which had already been indicated in his public statement.*" (Italics supplied.)

As a result of the discussions of the President's problems a compromise was reached as to the form of the public statement to be issued at the close of the conference. Mr. Churchill's objections were met by omitting the President's formula "that these military and naval conversations had in no way involved future commitments between the two Governments, except as authorized under the terms of the Lease-Lend Act." President Roosevelt's needs were met by omitting certain phrases from Mr. Churchill's original proposal (see above, p. 478) and by confining the opening passages of the joint statement to matters respecting the problem of supply as provided by the Lend-Lease Act, the dangers of Axis policies to world civilization, and steps taken for the safety of the United States and Great Britain in the face of these dangers.¹³ As far as the text of the final formula was concerned, President Roosevelt felt that he could properly say when queried in the United States that "no new commitments" had been made.

Text of Mr. Welles' Memorandum of Conversations on the Form and Language of the Joint Announcement

Mr. Churchill then said [after the agreement on Far Eastern policies on the morning of August 11] that he desired to bring up for discussion the proposed joint declaration by the President and himself.

The President said that he believed the best solution of this problem was for an identic statement to be made in London and in the United States, probably on Thursday, August 14, to the effect that the Prime Minister and the President had met at sea, accompanied by the various members of their respective staffs; that these members of the two Governments had discussed the question of aid under the terms of the Lease-Lend Act to nations resisting aggression, and that these military and naval conversations had in no way involved any future commitments between the two Governments, except as authorized under the terms of the Lease-Lend Act; that the Prime Minister and the President had between them discussed certain principles relating to a better

13. For the opening passages of the joint statement see above, p. 119.

future for the world and had agreed upon a joint declaration which would then be quoted verbatim.

Mr. Churchill dissented very strongly from the form in which the President had desired to make it clear that no future commitments had been entered into. The President stated that that portion of the proposed statement was of extreme importance from his standpoint inasmuch as a statement of that character would make it impossible for extreme isolationist leaders in the United States to allege that every kind of secret agreement had been entered into during the course of these conversations.

Mr. Churchill said that he understood that side of the question, but that he believed that any categorical statement of that character would prove deeply discouraging to the populations of the occupied countries and would have a very serious effect upon their morale. He likewise made it clear that a similar effect would be created by British public opinion. He asked if the statement could not be worded in such a way as to make it positive rather than negative, namely, that the members of the staffs of the Prime Minister and of the President had solely discussed questions relative to the furnishing of aid to the countries resisting aggression under the terms of the Lease-Lend Act. The President replied that he believed that the statement could be drawn up in that way and that if he then were queried in the United States he need merely reply that nothing had been discussed or agreed upon other than that which had already been indicated in his public statement.¹⁴

14. See President Roosevelt's public statements in August, 1941, in respect of the Atlantic Conference, above, Chap. IV.

CHAPTER XVI

"Complicated Moves" in Relations with Japan

WHAT Mr. Justice Frankfurter described as President Roosevelt's "complicated moves" "so skilfully conducted as to avoid even the appearance of an act of aggression on our part" seem comparatively simple in respect of Japan, at least as revealed by the documentation made available to the American people by the State Department and the Congressional Committee on Pearl Harbor. To be sure the documentation is far from complete. The Democratic majority of the committee so skillfully conducted their complicated moves that the President's own papers, including the personal messages exchanged with Mr. Churchill from September, 1939, until long after Pearl Harbor, were kept from the prying eyes of the Republican minority and likewise from the scrutiny of the American people. As to its part in the secret negotiations or "conversations" with Japan, the British Government has seen fit to maintain a guarded reticence; and concerning Japanese archives bearing on the subject, which survived the destruction of the war, relatively little has been made known to the American public by the American Army of Occupation.¹

Moreover, the Democratic majority of the Congressional Committee conducted its affairs so skillfully that, on account of the state of Mr. Hull's health, members of the Republican minority had no opportunity to examine him orally at the hearings. Thus several of the Administration's complicated moves in relation to Japan remain obscure, despite the thousands of selected pages composing the record published by Secretary Hull and the State Department. Hence, it may be years before every specific exchange between the United

1. See, for example, CJC, Part 18, Exhibits 132, 132-A; and Part 20, Exhibit 173, "Memoirs of Prince Konoye." What German, Italian, Russian, and United States archives will yield, if ever fully opened, remains a matter of conjecture.

States and Japan, from August to December, 1941, can be treated in the light of full documentation. But there is now available extensive evidence pertaining to the final program presented to Japan, November 26, 1941, by Secretary Hull, the methods employed in implementing it, and its connection with the historic policy of the United States in the Orient (see above, Chap. IX).

There is also now available sufficient evidence respecting two primary questions with which my inquiry is particularly concerned: (1) How did the secret actions of the Roosevelt Administration bearing on relations with Japan from August 17 to December 7, 1941, as described in official documents now available, square with official representations of the Administration to the American people at the time—realities with appearances? (2) Do these official documents sustain the official thesis respecting relations with Japan presented to Congress and the people by President Roosevelt's message to Congress on December 8, 1941?

On that occasion, the President said—to repeat, for convenience—that on December 7, 1941, the United States was at peace with Japan, that at the solicitation of Japan it was still in conversation with the Japanese Government and Emperor, looking toward the maintenance of peace in the Pacific, and that on that day Japan had undertaken a planned “surprise offensive,” of which the attack on Pearl Harbor was a phase. Did the course of American-Japanese affairs as conducted during the months preceding Pearl Harbor, however it “looked,” actually point in the direction of peace with Japan? Were those affairs in such a state at any time during this period that the President actually expected them to eventuate in the maintenance of peace in the Pacific? Did the Japanese Government make any proposals during this period which looked to the possibility of maintaining peace in the Pacific? And, if so, how did Secretary Hull and President Roosevelt treat these proposals with a view to the maintenance of peace? Did the President think that the Japanese final memorandum delivered to Secretary Hull on December 7 actually constituted no

threat or hint of an armed attack? Was the Japanese offensive really a surprise to the Administration? With reference to these questions there are some answers in the documents now available.

As early as October 8, 1940, during the campaign of that year while he was still making peace pledges to the country, President Roosevelt had become convinced that Japan would make a mistake and that the United States would enter a war in the Pacific. He expressed this conviction to Admiral J. O. Richardson, Commander in Chief of the Fleet in the Pacific, whose duty it was to prepare plans for the war thus foretold by the President.² The development of an American war plan, based on arrangements made with the British Commonwealth and the Netherlands in the spring of 1941, contemplated a general war in which the United States would participate when and if it came³—a plan which President Roosevelt approved, "except officially," to use Admiral Stark's ingenious phrase.

On December 14, 1940, the American Ambassador in Tokyo, Joseph Grew, wrote a long letter to President Roosevelt on American-Japanese relations, in the course of which he said that, unless the United States was prepared to withdraw bag and baggage from the entire sphere of Greater East Asia and the South Seas, "(which God forbid), we are bound eventually to come to a head-on clash with Japan." President Roosevelt replied, January 21, 1941, "I find myself in decided agreement with your conclusions"; and went on to say that "our strategy of self-defense must be a global strategy which takes account of every front and takes advantage of every opportunity to contribute to our total security."⁴ In other words, in January, 1941, President Roosevelt envisaged a head-on clash with Japan as a phase of assistance to Great Britain in a world of inseparable spheres of interest. This conclusion squared with the conviction he had expressed to Admi-

2. See above, p. 416.

3. See above, pp. 442 ff.

4. Joseph C. Grew, *Ten Years in Japan* (Simon & Schuster, 1944), pp. 359 ff.

ral Richardson on October 8, 1940: Japan will make a mistake and we will enter the war.

Concerning the course of specific transactions in official relations between the United States and Japan from the opening of the Atlantic Conference until December 7, 1941, the American people knew little at the time. Those who read the newspapers learned from reports of the President's meetings with representatives of the press that, at the Atlantic Conference, no new commitments had been made, that the country was no closer to war, that arrangements for operations under the Lend-Lease Act had been developed, that a list of grand principles, soon known as the Atlantic Charter, expressing hopes for a better world, had been promulgated over the names of the President and the Prime Minister, and that relations with Japan were dangerously strained. From the President's quip that he and Mr. Churchill had discussed affairs in all the continents of the earth, newspaper readers possessed of the slightest imagination could conclude that affairs in the Far East had in some manner been reviewed at the Atlantic Conference.⁵

PRESIDENT ROOSEVELT'S WARNING NOTE TO JAPAN
ON AUGUST 17, 1941

BUT the American people had no official information until 1945 that Japanese affairs had come up first in the proceedings of the Atlantic Conference, that there the President made a definite commitment to Mr. Churchill's proposal for joint action in respect of Japan. It is true that after the United States had been involved in war for several months, two journalists, Forrest Davis and Ernest K. Lindley, permitted to make a "scoop" from secret information which had been conveyed to them by the White House and the State Department, published a story that approached a correct, if in many respects inadequate, account of the transactions relative to Japan at the Atlantic Conference.⁶ Yet, after all, Davis and Lindley were

5. See above, Chap. IV.

6. See above, p. 121, and Beard, *op. cit.*, pp. 25 ff.

simply journalists whose report could be repudiated as unofficial or unreliable by any defender of the Roosevelt Administration, if their allegations made trouble for its high officials. Hence, it is proper to say that nothing like the real truth about the discussions of Japanese affairs at the Atlantic Conference in August, 1941, was revealed to the American people until December, 1945, when an official record of certain proceedings at the conference made by the Undersecretary of State, Sumner Welles, was placed among the exhibits in the documentation of the Congressional Committee on Pearl Harbor.⁷ What does that record show?

Japanese affairs, it was learned from the Welles' memoranda, were taken up by the principal parties to the Atlantic Conference on the evening of August 9 and they received close attention subsequently until agreement was reached on a program of parallel warnings to Japan. President Roosevelt rejected Mr. Churchill's proposal that he strengthen his warning to the Japanese Government by adding a declaration of his intention to seek authority from Congress to aid any power attacked by Japan in the Southwestern Pacific. But the President agreed to send a stiff note to Japan—a note in the nature of an ultimatum—after he had returned to Washington.

Although Mr. Churchill said that, as a result of the warning agreed upon, there was a reasonable chance of avoiding war in the Pacific, President Roosevelt expressed no such hope. On the contrary, he remarked that by taking this course "any further move of aggression on the part of Japan which might result in war could be held off for at least thirty days." Hence, it now appears, President Roosevelt did not think, on August 11, 1941, that the warning he was about to give to Japan would go very far in the direction of the "maintenance of peace in the Pacific."

On August 17, 1941, after his return from the Atlantic Conference, President Roosevelt called the Japanese Ambassador to the White House and told him point-blank, among other things:

7. See below, p. 489, and above, Chap. XV.

. . . this Government now finds it necessary to say to the Government of Japan that if the Japanese Government takes any further steps in pursuance of a policy or program of military domination by force or threat of force of neighboring countries, the Government of the United States will be compelled to take immediately any and all steps which it may deem necessary toward safeguarding the legitimate rights and interests of the United States and American nationals and toward insuring the safety and security of the United States.

Such was the formula of the President's warning as recorded in the State Department's *Peace and War*, published in July, 1943 (p. 714).⁸

To the Japanese Ambassador, familiar with the language of diplomacy, the statement could have had only one meaning. Although the President did not even hint that he would appeal to Congress for a declaration of war if the Japanese Government failed to heed his warning, he did indicate that if that government took any further steps in the direction of dominating neighboring countries, by force or threat of force, the United States would do something besides send another diplomatic memorandum to Tokyo.

Long historical practice justified this interpretation of his note on August 17. When on July 31, 1914, for instance, the German Ambassador in Paris asked the French Foreign Minister what France would do in case of a war between Germany

8. I searched the files of the *New York Times* and the *New York Herald Tribune* from August 17 to August 31, 1941, for references to press releases or statements from the White House and the State Department bearing on the delivery of this warning notice to Ambassador Nomura and found no such reference. Later I had two independent searches made of these files by two scholars trained in historical research and neither of them found even a hint that this note had been delivered to the Japanese Ambassador. On December 16, 1946, I wrote to the State Department asking whether the department had issued any statement or press release on the note of August 17, 1941, and received a reply dated January 3, 1947, which did not constitute an answer. In a letter dated January 7, 1947, I directed this question to the State Department: "Did the Department of State issue on or after August 17, 1941, any press release or statement to the press notifying the public that the important memorandum of August 17, 1941, had been delivered to the Japanese Ambassador in Washington on that day?" In a letter dated January 21, 1947, the State Department said: "the records of the Department indicate that a press release was not issued on the subject to which you refer."

and Russia, the latter replied: "France will have regard to her interests"; and that meant France would fight. When President Roosevelt informed Japan on August 17, 1941, that, in case of any more aggressive moves on her part against her neighbors, the United States would safeguard its interest, he meant that the United States would, sooner or later, take effective action to stop such moves. This interpretation of the President's intention is supported by evidence produced by the Congressional Committee on Pearl Harbor.

At a hearing of the Congressional Committee on November 23, 1945, when the former Undersecretary Welles appeared as a witness, the Assistant Counsel, Mr. Gesell, first offered as Exhibit 22, two telegrams and a draft of a proposed communication to the Japanese Ambassador brought to the State Department by Mr. Welles after the Atlantic Conference. After the documents had been put on record, Mr. Gesell asked Mr. Welles to indicate briefly his position in the State Department during the years 1940 and 1941. The following dialogue ensued:⁹

MR. WELLES. During those years my time and attention were primarily given to relations between the United States and the other American republics and, to a considerable extent, to our relations with European governments. I had no participation in the diplomatic discussions which went on between Secretary Hull and the Japanese Government representatives and only at certain times, when the Secretary was away on a much needed vacation or was not in the Department and I had to act as Acting Secretary of State did I take any active part.

MR. GESELL. You were present, were you not, during the meeting in the Atlantic between President Roosevelt and Prime Minister Churchill?

MR. WELLES. I was.

MR. GESELL. *Did you at that time participate in any discussions between President Roosevelt and Prime Minister Churchill concerning Japan or developments in the Far East?*

MR. WELLES. *No. During the meeting at Argentia the President delegated to me the work which had to do with the drafting*

9. CJC, Part 2, pp. 458 ff.; see also Part 14, Exhibit 22. (Italics supplied.)

of the Atlantic Charter. My conversations were almost entirely taken up with talks with the British Under Secretary of State for Foreign Affairs, Alexander Cadogan, and those conversations related solely to the drafting of the Atlantic Charter text and to one of the diplomatic negotiations, none of which had to do with Japan. (Italics supplied.)

MR. GESELL. Did you receive any information at that meeting as to any agreement or arrangement or understanding that had been arrived at, if there was any, between President Roosevelt and Prime Minister Churchill concerning joint action of the United States and Great Britain in the Pacific?

MR. WELLES. When I left the President, since he was due to return to Washington before myself, he told me that he had had a conversation, or several conversations, with Mr. Churchill with regard to the Japanese situation and the increasing dangers in the Far East; that Mr. Churchill had suggested to him that the two Governments, as a means which might be of some effect, should take parallel action in issuing a warning to the government of Japan.

As I recall it, the President stated that what Mr. Churchill had suggested was that the Government of the United States should state to the Government of Japan that if Japan persisted in her policy of conquest and aggression the United States, in the protection of its legitimate interests and in order to provide for its own security, would have to take such acts as were necessary in its own judgment.

The President also asked me to tell Secretary Hull that he wished to see the Japanese Ambassador immediately upon his return and that warning which had been suggested as a parallel action by Mr. Churchill was communicated to the Japanese Ambassador by the President on August 17 of that year.

MR. GESELL. Were you present at the meeting?

MR. WELLES. I was not. You mean the meeting between the President and the Japanese Ambassador?

MR. GESELL. Yes.

MR. WELLES. No.

MR. GESELL. Now, the Exhibit 22 which has just been introduced includes as the first document a document dated August 10, 1941, reading as follows:

DRAFT OF PARALLEL COMMUNICATIONS TO THE
JAPANESE GOVERNMENT

Declaration by United States Government that:

"1. Any further encroachment by Japan in the South West Pacific would produce a situation in which the United States Government would be compelled to take counter measures even though these might lead to war between the United States and Japan.

"2. If any third Power becomes the object of aggression by Japan in consequence of such counter measures or of their support of them, the President would have the intention to seek authority from Congress to give aid to such Power."

Declaration by H. M. G.

"Same as above, mutatis mutandis, the last phrase reading:

' . . . their support of them H. M. G. would give all possible aid to such Power.' "

Declaration by Dutch Government.

"Same as that by H. M. G.

"Keep the Soviet Government informed. It will be for consideration whether they should be pressed to make a parallel declaration."

Do you recall ever having seen this document?

MR. WELLES. I do not remember having seen that document.¹⁰ I remember seeing the draft, however, which I took from Argentina to Washington and which is one of the exhibits itself in this collection.

MR. GESELL. Well, now, did you prepare that draft or do you know who prepared it?

MR. WELLES. As I recall it that was prepared after discussions between the President and myself the last day of the Argentina meeting.

MR. GESELL. The last paragraph of that draft reads:

"The Government of the United States, therefore, finds it necessary to state to the Government of Japan that if the Japanese Government undertakes any further steps in pursuance of the policy of military domination through force or conquest in the Pacific region upon which it has apparently embarked, the United

10. Paragraphs 1 and 2 were contained in Mr. Welles' memorandum of August 10, 1941. See above, p. 454.

States Government will be forced to take immediately any and all steps of whatsoever character it deems necessary in its own security notwithstanding the possibility that such further steps on its part may result in conflict between the two countries."

Was that, in essence, your understanding of the agreement between President Roosevelt and Prime Minister Churchill concerning the notice or threat which should be given to the Japanese?

MR. WELLES. That is correct.

MR. GESELL. Now, referring to Volume 2, Foreign Relations of the United States with Japan 1931-1941, where the conversations between President Roosevelt and the Japanese Ambassador on August 17, 1941 is reported.

At page 556 I find in the paragraph beginning at said page what appears to be a somewhat different statement. This is the oral statement handed by the President to the Japanese Ambassador. It reads:

"Such being the case, this Government now finds it necessary to say to the Government of Japan that if the Japanese Government takes any further steps in pursuance of a policy or program of military domination by force or threat of force of neighboring countries, the Government of the United States will be compelled to take immediately any and all steps which it may deem necessary toward safe-guarding the legitimate rights and interests of the United States and American nationals and toward insuring the safety and security of the United States."

That statement that I have just read is a somewhat watered down version of the one you brought back, is it not, Mr. Welles?

MR. WELLES. That is correct.

MR. GESELL. Is it your opinion that the statement that I have just read from Volume II is, in fact, the statement which was made at this meeting rather than the statement that you brought back?

MR. WELLES. The statement was handed by the President, I understood, to the Japanese Ambassador in writing, as an aide-mémoire, and that is the statement to which you refer.

MR. GESELL. Have you any information as to what accounted for the watering down process?

MR. WELLES. I am not informed on that point, beyond the fact that the papers I brought back were given to Secretary Hull and he discussed them with the President before the President handed them to the Ambassador.

So much for Mr. Welles' accounting to the Congressional Committee on what happened at the Atlantic Conference with regard to the warning message handed to the Japanese Ambassador on August 17, 1941. At its hearing on December 18, 1945, about three weeks after the examination of Mr. Welles, Mr. Gesell placed in the records of the Congressional Committee three documents which had been secured from the State Department.¹¹ These documents, entered as Exhibits 22-B, 22-C, and 22-D, were memoranda, dated August 10-11, 1941, of conversations at the Atlantic Conference. These memoranda set down by Mr. Welles' own hand put in a curious perspective his sworn statements to the Congressional Committee in November. Either Mr. Welles' memory had been faulty on November 23, 1945, or his understanding of the English language differed from that which generally prevails among persons less experienced in diplomatic usages.

Mr. Welles, on November 23, 1945, had said "No," when asked whether he had participated in any discussions between President Roosevelt and Mr. Churchill concerning Japan or developments in the Far East. But, according to Mr. Welles' memorandum for August 10, 1941, a conversation on the subject of a warning to Japan actually was held by President Roosevelt, Mr. Churchill, Sir Alexander Cadogan, and Sumner Welles at dinner on the evening of August 9. Sir Alexander made tentative drafts of proposed parallel and simultaneous declarations by the British and the United States Governments relating to Japanese policy in the Pacific, to be presented to Japan by the President and the Prime Minister at the close of the Atlantic meeting.¹² The next day, August 10, Sir Alexander handed drafts of the proposed declarations to Mr. Welles; and on August 11, the subject was taken up at a meeting attended by the President, Mr. Churchill, Sir Alexander, Harry Hopkins, and Sumner Welles, and discussed. As a re-

11. See above, Chap. XV.

12. For Mr. Welles' account of these meetings, written for the State Department, see Chap. XV.

sult, a general formula was agreed upon, to be finally shaped up by Sir Alexander and Mr. Welles.

Out of the conversations and arrangements at the Atlantic Conference, with Mr. Welles acting as the President's agent in draftsmanship, emerged a text or draft of a warning note to Japan. This text or draft Mr. Welles took to the State Department on his return. It represented in substance the formula upon which the President and the Prime Minister had agreed at the conference. That formula as outlined by the President at the conference had met the approval of Mr. Churchill, who said that "it had in it an element of 'face saving' for the Japanese and yet, at the same time would constitute a flat United States warning to Japan of the consequences involved in a continuation by Japan of her present course." The text or draft dated August 15, 1941, taken by Mr. Welles to the State Department was sharper than the note of August 17 delivered to the Japanese Ambassador by the President. The draft of August 15 read:

The Government of the United States, therefore, finds it necessary to state to the Government of Japan, that if the Japanese Government undertakes any further steps in pursuance of the policy of military domination through force or conquest in the Pacific region upon which it has apparently embarked, the United States Government will be forced to take immediately any and all steps of whatsoever character it deems necessary in its own security notwithstanding the possibility that such further steps on its part *may result in conflict between the two countries*.¹³

In the memoranda made by Mr. Welles on the meetings at the Atlantic Conference it is patent that the notice given by President Roosevelt to the Japanese Ambassador on August 17, 1941, was intended to be in the nature of a war warning. It is true that in the final form given to the notice, two points

13. CJC, Part 14, Exhibit 22, pp. 1256 ff. (Italics supplied.) In the "watering down" process referred to by Assistant Counsel Gesell, it will be noted, the area in which Japan was to attempt no further domination was narrowed from "the Pacific region" to "neighboring countries" in a final draft presented to the Japanese Ambassador on August 17.

brought up at the Atlantic Conference had been eliminated or softened. Mr. Churchill's suggestion that the President inform Japan that he intended to seek authority from Congress to implement his notice was rejected. Also eliminated from the draft dated August 15, 1941, were the words: "notwithstanding the possibility that such further steps on its [Japan's] part may result in conflict between the two countries"; for these words were substituted a formula more veiled, but scarcely any less meaningful to Ambassador Nomura and the Government of Japan.

Nevertheless, Secretary Hull, who was present when President Roosevelt delivered this warning to the Japanese Ambassador on August 17, 1941, refused to concede in 1946 that the President's statement implied warlike action if Japan refused to heed. In May, 1946, Senator Ferguson, as a member of the Congressional Committee on Pearl Harbor, directed a written question to Secretary Hull, inquiring whether the Japanese warlike movements between November 30 and December 6, 1941, in the Southeastern Pacific, constituted a challenge to the United States to implement the position it had taken in its note of August 17, 1941, to Japan. Secretary Hull replied in a statement that looks queer when put beside Undersecretary Welles' account of the agreement concerning action against Japan reached by President Roosevelt and Mr. Churchill at the Atlantic Conference.

Secretary Hull's statement of May, 1946, read:

The purpose of the United States in making the statement of August 17 under reference was to tell Japan *in a friendly way* that if she kept encroaching upon *our rights and interests, we would defend ourselves*. This Government at that time was acutely concerned over Japan's refusal to agree to our proposal for the neutralization of Indochina, to abandon her jumping-off place there, and otherwise to desist from the menace she was creating to us and other peace-minded nations. It *wholly misrepresents the attitude of the United States* in the period after August 17 to *allege that this Government was planning any step other than that*

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of pure defense in the event the Japanese should attack. Other
aspects of this question, for example, where, when, and how we
would resist the Japanese, were essentially a military matter.¹⁴

THE JAPANESE GOVERNMENT'S PROPOSAL FOR A
PACIFIC CONFERENCE REJECTED

WHILE the Japanese Government was considering President Roosevelt's stern warning of August 17, with a diplomatic postulate of implementation, it was seeking to develop a proposal to the President, which, at least on its surface, looked in the direction of maintaining peace in the Pacific. Indeed, the very day that Ambassador Nomura called at the White House and received his warning, he drew from his pocket an instruction from his Government to the effect that the Prime Minister, Prince Konoye, felt strongly and earnestly about preserving peaceful relations with the United States and would be disposed to meet the President somewhere in the Pacific for the purpose of talking the matter out "in a peaceful spirit."¹⁵

Subsequently, the Japanese project for a Pacific Conference was explored by exchanges of views between the two governments, over the merits of which students of diplomatic history will probably differ for years to come. These diplomatic exchanges continued for nearly two months—until the fall of the Konoye Cabinet in Tokyo on October 16, 1941. Whatever the justification for the position finally taken by President Roosevelt and Secretary Hull on the Japanese proposal, the methods they employed during this period were dilatory, and from start to finish they pursued the usual policy of secrecy.¹⁶ Numerous "leaks" in Washington, noncommittal releases from the Department of State, and rumors kept the American public in expectancy—and confusion. In fact, at one time, when it was openly said in newspaper circles that arrangements had been made for a meeting of President Roosevelt and Premier Konoye, this "rumor" was brushed aside

14. CJC, Part 11, pp. 5406. (Italics supplied.)

15. *Peace and War*, pp. 712 f.

16. See above, pp. 183 ff.

humorously by the President's Secretary, Stephen Early, at the White House.¹⁷

Although, during the tortuous exchanges of notes on the proposed conference in the Pacific, the American public remained in the dark with regard to the nature of the various offers and counteroffers, documents made available since December 7, 1941, have partly disclosed the nature of the tactics employed by President Roosevelt and Secretary Hull in conducting those exchanges. For example, in July, 1943, the State Department published *Peace and War, 1931-1941*, which contained many papers on relations with Japan; and in the same year it issued two bulky volumes, *Foreign Relations with Japan, 1931-1941*, with a prefatory note to the effect that additional documents were to come. In 1944, Joseph Grew, former American Ambassador at Tokyo, published his *Ten Years in Japan*,¹⁸ which illuminated the official documents released by the State Department. Additional evidence unearthed by the Congressional Committee on Pearl Harbor amplified the accounts of the Department and Ambassador Grew.

The strategy pursued by the President and the Secretary of State during these conversations on the Japanese Premier's proposal for a peace conference in the Pacific was, in brief, as follows. The President and the Secretary expressed to Japan a willingness to consider favorably the idea of a Pacific Conference, but insisted that the Premier should first agree upon certain principles in advance, with a view to assuring the success of the conference.

The Premier of Japan, on September 6, 1941, informed the American Ambassador in Tokyo that he subscribed fully to the four great principles of American policy laid down in Washington.¹⁹ Then President Roosevelt and Secretary Hull declared that this was not enough, that agreements on more principles and formulas was necessary, that the replies of the Japanese Government were still unsatisfactory; but they re-

17. See above, p. 189.

18. See especially, pp. 416 ff.

19. *Peace and War*, pp. 733 ff.

frained from saying in precise language just what it was they demanded in detail as fixed conditions for accepting the Japanese invitation to a conference in the Pacific. To meet their obvious distrust of Japanese authorities and especially the Japanese militarists, Premier Konoye assured them that he had authority for bringing with him to the conference high army and naval officers as evidence that his commitments would have the support of the Army and the Navy of Japan. Still the President and the Secretary continued adamant in their tactics of prolonging the conversations as if they were merely playing for time, "babying the Japanese along."

It may be said that President Roosevelt and Secretary Hull thus chose a course well within their discretion, and demonstrated wisdom in so doing. That militarists in the Japanese Government and outside had been engaged in barbaric practices in China for many years and were rattling the sabers in the autumn of 1941, was a matter of general knowledge in the United States. That the Roosevelt Administration had long been opposed to Japan's policies and measures was, at least, equally well known. Still, if keeping out of war in the Pacific was a serious issue for the United States, then the primary question for President Roosevelt and Secretary Hull was: Did the Japanese proposal offer an opportunity to effect a settlement in the Pacific and were the decisions they made in relation to it actually "looking" in the direction of peace?

Immediately pertinent to this question, and necessary to an informed judgment on it, is a report by Ambassador Grew to Secretary Hull and thus to the President, dated Tokyo, September 29, 1941, after discussions of the Japanese Conference proposal had been dragging along for more than a month.²⁰ Mr. Grew had been the American Ambassador in Japan for about ten years. He was well acquainted with Japanese institutions, politics, party interests, and the bitter struggle between conciliatory citizens of Japan and the bellicose militarists. He and his secretaries were in intimate and constant touch with the Japanese Premier and Foreign Office from the

20. Grew, *op. cit.*, pp. 436 ff., *Foreign Relations with Japan*, II, 645 ff.

beginning of the controversy over the proposed peace conference in the Pacific. To say that Mr. Grew had more first-hand knowledge about the possibilities of these negotiations looking in the direction of peace in the Pacific and about the probable outcome of a conference, if held, than did President Roosevelt and Secretary Hull is scarcely an overstatement. Hence, the advice given to them by their representative in the Japanese capital has an immediate bearing on how war came.

In his report to Washington, September 29, Ambassador Grew laid stress on the growing eagerness of the Japanese Government to bring about a peace conference with the President. He expressed the hope that "so propitious a period" be not permitted to slip by without laying a new foundation for a better order in Japan and her relations to the United States. Japan, he said, had joined the Italo-German Axis to obtain security against Russia and avoid the peril of being caught between the Soviet Union and the United States and was now attempting to get out of this dangerous position. The Ambassador considered that the time had arrived for the liberal elements to come to the top in Japan. He saw a good chance that Japan might fall into line if a program of world reconstruction could be followed as forecast by the joint declaration of President Roosevelt and Mr. Churchill at the Atlantic Conference. The United States, Mr. Grew thought, could choose one of two methods in dealing with Japan: progressive economic strangulation or constructive conciliation, "not so-called appeasement." If conciliation failed, he reasoned, the other method—coercion and war—would always be available. He believed that a failure of the United States to use the present opportunity in the interest of conciliation would result in adding to the chances of an armed conflict.

While admitting that there were risks in any course of dealings with Japan, Ambassador Grew offered "his carefully studied belief" that there would be substantial hope of preventing the Far Eastern situation from becoming worse, and perhaps of insuring "definitely constructive results, if an agreement along the lines of the preliminary discussions were

brought to a head by the proposed meeting of the heads of the two Governments." The Ambassador then raised "the question whether the United States is not now given the opportunity to halt Japan's program without war, or an immediate risk of war, and further whether, through failure to use the present opportunity, the United States will not face a greatly increased risk of war. The Ambassador stated his firm belief in an affirmative answer to these two questions." Mr. Grew conceded that certain elements in Japan or the United States might so tend to inflame public opinion in the other country as to make war unavoidable; and he recalled the cases of the *Maine* and the *Panay*. But he solicitously advised President Roosevelt and Secretary Hull to accept the offer of the Japanese Premier to discuss the situation directly, especially since the Premier had taken important steps in showing evidences of good faith.

Aware that in negotiations with the Japanese Ambassador in Washington, President Roosevelt and Secretary Hull were insisting upon further explorations of the Japanese proposal and that more than a month had passed in these "exploratory" operations, Mr. Grew warned them against this procedure. He told them that if the United States expected or awaited "clear-cut commitments" which would satisfy the United States "both as to principle and as to concrete detail," the conversations would be drawn out indefinitely and unproductively "until the Konoye cabinet and its supporting elements desiring rapprochement with the United States will come to the conclusion that the outlook for an agreement is hopeless and that the United States Government is only playing for time."²¹ In this case, the Ambassador continued, the Konoye Government would be discredited. "The logical outcome of this will be the downfall of the Konoye cabinet and the formation of a military dictatorship which will lack either the disposition or the temperament to avoid colliding head-on with the United States."

21. Did this mean that the Japanese would suspect that President Roosevelt's intention was "to baby them along," as Davis and Lindley represented his designs at the Atlantic Conference? *How War Came*, p. 10.

If Premier Konoye was sincere in his intentions why could he not give President Roosevelt and Secretary Hull clear-cut commitments as to details before the conference? To this central question Ambassador Grew gave serious attention and provided for the President and the Secretary an answer based on his knowledge of the critical situation in Tokyo. Mr. Grew knew that a "liberal" government in Japan, or indeed any government inclined to keep peace with the United States, was beset by the militarist and chauvinist press, always engaged in frightening and inflaming the Japanese public by war-mongering. He knew also, what had recently been demonstrated many times, that the head and members of any such government were likely to be assassinated in cold blood by desperate agents of "patriotic" societies. He knew and so did Premier Konoye that Axis secret agents and Japanese enemies of peace with the United States were boring within the Konoye Government and watching with Argus eyes every message or communication sent from Tokyo to Washington. In other words, Premier Konoye could not be sure that any note he dispatched to Washington, no matter how guardedly, would escape the vigilance of his enemies on every side in Japan.

This situation Ambassador Grew went into at length in his report of September 29, 1941, to Secretary Hull and President Roosevelt. He had been in close and confidential communication with Premier Konoye. On the basis of very intimate knowledge, he informed them that the Japanese Government was ready to undertake commitments other than those set down in the communications which had already passed. He reported, in cautious language as befitted a diplomat, that he had been told that "Prince Konoye is in a position in direct negotiations with President Roosevelt to offer him assurances which, because of their far-reaching character, will not fail to satisfy the United States." Mr. Grew added that he could not determine the truth of this statement, but he said definitely that while the Japanese Government could not overtly renounce its relations with the Axis Powers, it "actually has shown a readiness to reduce Japan's alliance adherence to a

dead letter by its indication of willingness to enter formally into negotiations with the United States."

Thereupon Mr. Grew presented the alternatives as he saw them from his point of vantage in Tokyo. The Japanese military machine and army could be discredited by wholesale military defeat. That was one alternative. On the other hand the United States could place a "reasonable amount of confidence" in

the professed sincerity of intention and good faith of Prince Konoye and his supporters to mold Japan's future policy upon the basic principles they are ready to accept and then to adopt measures which gradually but loyally implement those principles, with it understood that the United States will implement its own commitments *pari passu* with the steps which Japan takes.

This was the alternative which the American Ambassador commended to President Roosevelt and Secretary Hull as "an attempt to produce a regeneration of Japanese thought and outlook through constructive conciliation, along the lines of American efforts at present."

As to the alternatives, Mr. Grew closed his plea by inquiring "whether the better part of wisdom and of statesmanship is not to bring such efforts to a head before the force of their initial impetus is lost, leaving it impossible to overcome an opposition which the Ambassador thinks will mount inevitably and steadily in Japan." In Mr. Grew's opinion it was evidently a question of now or never, though he ended by paying deference to "the much broader field of view of President Roosevelt and Secretary Hull" as compared with "the viewpoint of the American Embassy in Tokyo."

While the negotiations over the proposed meeting between President Roosevelt and Premier Konoye were still dragging along, the Japanese Foreign Minister, Toyoda, discussed with the British Ambassador in Tokyo, Sir Robert Craigie, various problems in the then delicate relations between Japan and the United States. At the same time, he asked Ambassador Grew to speak to Ambassador Craigie and later he learned

that the British and American Ambassadors had held a conference on these questions. On October 3, 1941, Minister Toyoda sent to Ambassador Nomura in Washington information respecting the Japanese-British-American transactions in Tokyo and said to Ambassador Nomura: "Subsequently, according to absolutely unimpeachable sources, Ambassador Craigie cabled Foreign Secretary Eden and Ambassador Halifax, explaining the importance of having the United States and Japan come to an immediate agreement to hold a conference." ²²

In a supplementary message to Ambassador Nomura, Tokyo furnished him with "the gist of Craigie's opinions" expressed in messages to Anthony Eden and Lord Halifax, with a warning to keep the information strictly secret. According to Minister Toyoda's summation, Ambassador Craigie presented the following views to his government in London and his colleague, Lord Halifax, in Washington. First, with the resignation of former Foreign Minister Yosuke Matsuoka "the chances of turning away from the Axis policy and toward the democracies, has been considerably enhanced." Second, to Japan the speeding up of the conference between President Roosevelt and Premier Konoye is important for the reason that undue delay would place the Konoye Cabinet in a precarious position owing to the opposition in Japan to a reversal of relations with the Axis. Third,

by pursuing a policy of stalling, the United States is arguing about every word and every phrase on the grounds that it is an essential preliminary to any kind of an agreement. It seems apparent that the United States does not comprehend the fact that by the nature of the Japanese and also on account of the domestic conditions in Japan, no delays can be countenanced. It would be very regrettable indeed if the best opportunity for the settlement of the Far Eastern problems since I assumed my post here, were to be lost in such a manner. . . . Both the U.S. Ambassador in Japan and I

22. CJC, Part 12, Exhibit 1, p. 50. This was a secret message intercepted, decoded, and translated by American Naval Intelligence, October 4, 1941, for the information of appropriate officials in Washington.

are firmly of the opinion that it would be a foolish policy if this superb opportunity is permitted to slip by assuming an unduly suspicious attitude.

Fourth, British retaliatory economic measures should be continued until "the Konoye principles actually materialize."²³

Nevertheless, President Roosevelt and Secretary Hull rejected the advice of their Ambassador in Japan and prolonged the "explorations" until the Konoye Cabinet fell about two weeks later, October 16, 1941. Why? Records now available provide no answer. As far as the President was concerned, the question remains open, save for such inferences as may be drawn from collateral documents. Secretary Hull's answer is to be sought in many words spread over many pages, and, owing to the fact that he was the President's agent in the conduct of foreign affairs, his answer, by inference, may be treated as that of the Administration. When Secretary Hull's prolix and involved explanations as yet presented to the American public are all analyzed, compared, and tabulated, they amount to this: The Japanese had a long record of barbaric deeds; Prince Konoye was not much better, if any, than the bloodthirsty militarists; the promises and proposals of the Konoye Government were not to be trusted as offering any hope of peace to the "peace-loving nations of the world," as represented by the United States.

If this summation is regarded as too simple, then resort may be had to Secretary Hull's own summation. Although the state of Secretary Hull's health did not permit him to undergo a cross examination by any Republican members of the Congressional Committee on Pearl Harbor during its proceedings

23. *Ibid.*, p. 51. These and other intercepted Japanese secret messages in Exhibit 1, a volume of 253 pages, amply warn American students of diplomatic history against even attempting to write any kind of "balanced" and "objective" history of American-Japanese relations in 1941 until British, Japanese, and American archives are opened. They should also put a stop to the vulgar saying: "The United States was raking British chestnuts out of the fire." I venture the opinion that when these archives are opened, it will become apparent that the British Government, while seeking American coöperation, also sought to exert a moderating influence on the development of American Far Eastern policy in 1941, until, and in fact after, November 26, the day Secretary Hull handed his memorandum to Tokyo.

of 1945-46, he answered in his own way certain questions formulated by Senator Ferguson and submitted to him in writing on April 5, 1946.

In Questions 71 and 72, Senator Ferguson dealt with conversations relative to the Japanese proposal for negotiations looking to the maintenance of peace in the Pacific. Senator Ferguson referred to the message of the Japanese Foreign Minister on the resumption of conversations in mid-August transmitted to Washington with a covering note by Ambassador Grew. He quoted from the Ambassador's covering note in which he urged "with all the force at his command, for the sake of avoiding the obviously growing possibility of an utterly futile war between Japan and the United States, that this Japanese proposal be not turned aside without every prayerful consideration." Senator Ferguson also reminded Secretary Hull of Ambassador Grew's words that the proposal was "unprecedented" in Japanese history, and had been made with the approval of the Emperor and the highest authority of Japan. "That is correct, is it not?" The Senator asked.

Secretary Hull replied that there was no controversy about the contents of the documents in question and then said:

The President and I, together with our Far Eastern advisors,²⁴ were looking at the situation with the benefit of all the worldwide information available to us in Washington. We judged that the Japanese Government had no serious expectation of reaching an understanding at the proposed meeting [in the Pacific] unless the American Government surrendered its basic position while Japan rigidly adhered to and went forward with its policy of aggression and conquest. We had fully tested out the Japanese Government by preliminary inquiries and found it adamant in its position.²⁵

24. With reference to this point it is to be noted that the Far Eastern Division of the State Department late in the following November was advising Secretary Hull to meet another Japanese proposal for a settlement in the Pacific by a plan of adjustment and conciliation. See below, p. 511. Also that Secretary Hull himself considered, even if he did not believe in it, a plan for a *modus vivendi* and possible settlement with Japan. See below, pp. 509 ff.

25. CJC, Part 11, pp. 5389 f.

In other words, the President and Secretary Hull regarded the Japanese proposal for a Pacific Conference as essentially dishonest, as if a kind of subterfuge to deceive the Government of the United States while Japan went on with aggression and conquest.

It is at present impossible to determine the parts played by President Roosevelt and Secretary Hull respectively in the final decision to reject the Konoye proposal, as it is in the case of their action on the memorandum of November 26, 1941 (see below, p. 559). According to Premier Konoye's Memoirs (CJC, Part 20, Exhibit 173), the President was at first enthusiastic about the idea of a conference in the Pacific but Secretary Hull was at the outset cool and at length resolute in pursuing the course which, as Ambassador Grew had warned him in effect, would end in failure and war.

Nor is it possible now to discover whether, if the Pacific conference had been held, Premier Konoye could have carried out his intentions as communicated to the President and Secretary Hull. It is easy, of course, to take passages from Premier Konoye's Memoirs, and other fragmentary documents at present available, for the purpose of making an argument for or against American acceptance of his proposal; but, as Ambassador Grew informed the President and Secretary Hull at the time, the alternative of war would remain open to the United States if the conference had not fulfilled expectations. The "solution" of this insoluble "problem," however, lies outside the purposes and limitations of my inquiry (see above, p. 484).

THE JAPANESE PROPOSAL OF A MODUS VIVENDI REJECTED IN
FAVOR OF AN ULTIMATIVE NOTICE

THOUGH the Konoye Cabinet in Tokyo had been succeeded by what was regarded as a "strong" government headed by General Hideki Tojo, supposed to be an irreconcilable militarist, the Japanese did not break off conversations "looking to the maintenance of peace in the Pacific." On the contrary, the Japanese Government early in November dispatched to Ambassador Nomura two proposals for new discussions to be

taken up with President Roosevelt and Secretary Hull and sent a special agent, Saburo Kurusu, to assist the Ambassador in further explorations. The first of these proposals, called proposal "A," was plainly a document for bargaining; the second, proposal "B," was more conciliatory and had the signs of being the last offer the Japanese Government might make to the United States—"a last effort to prevent something happening." Was this move on the part of Japan just another evidence of what Secretary Hull called Japanese trickery, a desire to prolong negotiations and to deceive the Government of the United States?

On their face the two proposals, as finally presented to the State Department, might have been so regarded by Secretary Hull. But as a matter of fact, having previously broken the Japanese code, American Navy and Army Intelligence had intercepted, translated, and made available to the Administration, before either of the projects had been laid before Secretary Hull, the substance of the two documents as sent in code from Tokyo to Ambassador Nomura. It had done more. It had intercepted accompanying messages from Tokyo to the Ambassador which indicated, in the first place, that the Tojo Cabinet was anxious to reach some kind of settlement with the United States; and, in the next place, that the second proposal was, to use the language of the Japanese dispatch containing it, "advanced with the idea of making a last effort to prevent something from happening." If the opinion often expressed by Secretary Hull to the effect that the Japanese were chronic liars be accepted as correct, still it is hardly to be presumed that the Japanese Government was lying to its Ambassador when, in secret messages intended for his eyes alone, it informed him that a settlement was urgently desired in Tokyo and that proposal "B" was to be offered in a last effort to prevent something from happening—that is, doubtless, an open break and war.²⁶

In short, Secretary Hull knew in advance, on November

26. CJC, Part 12, Exhibit 1, for the two proposals, pp. 94-97; for various relevant Japanese messages, intercepted and translated by American Intelligence, pp. 90 ff.

4, 1941, that the Japanese proposals were coming to him, that the Tokyo Government had expressed to Ambassador Nomura anxiety to reach some settlement with the United States, that it had fixed November 25 as a dead line, that failure to achieve a settlement or truce meant drastic action, if not war, on the part of the Japanese Government. On November 1, Secretary Hull had asked the Army and Navy whether they were ready to give support to new warnings to Japan, and expressed the opinion that there was no use to issue any additional warnings "if we can't back them up."²⁷ On November 5, General Marshall and Admiral Stark addressed to President Roosevelt a memorandum in which they strongly objected to military action against Japan at the moment and urged the postponement of hostilities in order to allow the Army and Navy as much time as possible to effect better preparations for war.²⁸ It was in this state of affairs that Secretary Hull undertook to deal with Ambassador Nomura when he presented a sketch of proposal "A," November 7, 1941.

As history long ago recorded, explorations of the Japanese proposal "A" came to nothing. On the afternoon of November 7, the day Ambassador Nomura laid the proposal before Secretary Hull, the President, at a meeting of his Cabinet, took a poll on the question "whether the people would back us up in case we struck at Japan down there and what the tactics should be." The vote was a solid yea. Such are the facts as recorded by Secretary Stimson in his *Diary*

27. At a meeting of the Joint Board of the Army and Navy, November 3, 1941, General Marshall and Admiral Stark present, among others, Captain R. E. Schuirmann, liaison officer between the Office of Naval Operations and the State Department, reported on actions at the State Department meeting on November 1. Captain Schuirmann "pointed out that on August 17, following the President's return from the meeting at sea with Mr. Churchill, the President had issued an ultimatum to Japan that it would be necessary for the United States to take action in case of further Japanese aggression. . . . Mr. Hull was of the opinion that there was no use to issue any additional warnings to Japan if we can't back them up, and he desired to know if the military authorities would be prepared to support further warnings by the State Department." CJC, Part 14, p. 1063. The Japanese dead line was later moved to November 29. CJC, Part 20, p. 165.

28. CJC, Part 12, Exhibit 1; Part 14, Exhibits 16, 18.

for his own eyes. He also added that Secretary Hull made a good presentation of the general situation and that he narrowed it down, following steps already taken to show "what needed to be done in the future." Secretary Stimson likewise noted that "the thing would have been much stronger if the Cabinet had known—and they did not know except in the case of Hull and the President—what the Army is doing with the big bombers and *how ready we are to pitch in.*"²⁹

With reference to the conduct of foreign affairs, it is enlightening to compare the record of this Cabinet meeting as entered in Secretary Stimson's secret *Diary* with Secretary Hull's public statement describing the meeting to the Congressional Committee on Pearl Harbor in November, 1941. Mr. Hull then said that the President at the outset asked him whether he had anything on his mind and that he thereupon took about fifteen minutes in describing the dangers of the international situation. Mr. Hull stated that relations were extremely critical and that "we should be on the lookout for a military attack anywhere by Japan at any time." When he had finished, Mr. Hull continued, "the President went around the Cabinet. All concurred in my estimate of the dangers." The Cabinet agreed that some speeches should be delivered in order that "the country would, if possible, be better prepared for such a development." Four days later, November 11, 1941, Secretary Knox and Undersecretary Welles carried out the mandate. They served notice on the people of the United States. Secretary Knox called their attention to the dangers in the Pacific; and Mr. Welles informed them that "at any moment war may be forced upon us."³⁰

It was with this matured conviction secretly maintained in the Cabinet and the notice given to the public by Secretary Knox and Mr. Welles in circulation, that Secretary Hull began to explore proposition "B" with the Japanese Ambassador and Mr. Kurusu. This Japanese proposal, slightly modified as

29. Stimson, *Diary*, for November 7, 1941. (Italics supplied.)

30. CJC, Part 2, p. 429.

they presented it on November 20, embraced five principal points as follows:

1. Both the Governments of Japan and the United States undertake not to make any armed advancement into any of the regions in the Southeastern Asia and the Southern Pacific area excepting the part of French Indochina where the Japanese troops are stationed at present.

2. The Japanese Government undertakes to withdraw its troops now stationed in French Indochina upon either the restoration of peace between Japan and China or the establishment of an equitable peace in the Pacific Area.

In the meantime the Government of Japan declares that it is prepared to remove its troops now stationed in the southern part of French Indochina to the northern part of the said territory upon the conclusion of the present arrangement which shall later be embodied in the final agreement.

3. The Government of Japan and the United States shall cooperate with a view to securing the acquisition of those goods and commodities which the two countries need in Netherlands East Indies.

4. The Governments of Japan and the United States mutually undertake to restore their commercial relations to those prevailing prior to the freezing of the assets.

The Government of the United States shall supply Japan a required quantity of oil.

5. The Government of the United States undertakes to refrain from such measures and actions as will be prejudicial to the endeavors for the restoration of general peace between Japan and China.³¹

When President Roosevelt and Secretary Hull were called upon to make decisions with regard to the Japanese program for a kind of *modus vivendi* looking to a general settlement in the Pacific, they confronted a fateful choice and they knew it. From secret Japanese messages intercepted by the Army and Navy Intelligence, they had learned that this proposal was the final offering from the Japanese Government. They confronted the urgent appeal from General Marshall and Admiral Stark to postpone hostilities with Japan on the ground

31. *Ibid.*, p. 431.

that the Army and Navy were not ready for war. Should at least a truce of some form be attempted if only to give the United States more time to prepare for war? The idea of a truce had been taken up by the President with Secretary Stimson as early as November 6, two days after the secret Japanese message on the negotiations had been intercepted.³² And Mr. Stimson had strongly objected to the idea.³³

Despite Secretary Stimson's objections, however, the President apparently decided that a truce or *modus vivendi* might and should be attempted; for he sent an undated note to Secretary Hull, giving his suggestions for the terms of such a temporary or preliminary adjustment with Japan. The President's note contained the following points:

6 Months

1. United States to resume economic relations—some oil and rice now—more later.
2. Japan to send no more troops to Indo-China or Manchurian border or any place South (Dutch, Brit. or Siam).
3. Japan to agree not to invoke tripartite pact even if the U.S. gets into European war.
4. U.S. to introduce Japs to Chinese to talk things over but U.S. to take no part in their conversation.

* * *

Later in Pacific agreements.³⁴

In addition to President Roosevelt's suggestions for a *modus vivendi*, Secretary Hull had for his consideration, in arriving at a decision, a long memorandum on the subject from his experts in the Far Eastern Division of the State Department. This document, dated November 11, 1941, contained a draft of principles and details to be applied in efforts to arrive at some kind of middle course in handling the now tense relations with Japan. The authors of the memorandum called Mr. Hull's attention to the difficulties involved in an attempt at

32. See above, pp. 507 f.

33. Stimson, *Diary*, for November 6, 1941.

34. CJC, Part 14, p. 1109.

the moment to reach a comprehensive settlement "covering the entire Pacific area," and then stated:

Such a prospect prompts the question whether it might not be possible to propose some tentative or transitional arrangement the very discussion of which might serve not only to continue the conversations pending the event of a more favorable situation, even if the proposal is not eventually agreed to, but also to provide the entering wedge toward a comprehensive settlement of the nature sought providing the proposal is accepted by Japan and provided further that China is able to obtain satisfactory terms from Japan.³⁵

While working at his reply to the "last effort" of Tokyo to reach an adjustment, Secretary Hull had, besides the President's proposals and the memorandum from the Far Eastern Division, a strong recommendation from the senior officers of the Far Eastern Division relative to a project for a Pacific settlement, not a mere truce. This recommendation from his specialists in Far Eastern affairs, dated November 19, grew out of an outline for "a proposed basis for agreement between the United States and Japan," prepared by the Secretary of the Treasury, Henry Morgenthau, Jr. It took the form of a covering note to Secretary Hull initialed by Maxwell Hamilton, Chief of the Division. Mr. Hamilton pronounced the proposal offered by the Secretary of the Treasury "the most constructive I have seen," and added that all the senior officers in his Division concurred in his judgment. Therefore, he urged Secretary Hull to give it prompt and careful consideration and suggested a conference with General Marshall and Admiral Stark on the proposal.

During this period, as the testimony, documents, and exhibits procured by the Congressional Committee on Pearl Harbor abundantly demonstrate, hectic negotiations and conversations went on in Washington, with foreign ambassadors, ministers, and special agents, as well as American citizens and members of the Cabinet bringing pressures to bear on the

35. For this and other documents on the *modus vivendi*, see CJC, Part 14, Exhibit No. 18.

President and Secretary Hull—some for war and others for peace. Insiders knew that the die was about to be cast, and some outsiders knew it too. If newspapers reflected the state of popular opinion, thousands of American citizens, utterly uninformed as to the nature of the inner transactions of the Administration, were aware of an approaching crisis. If they believed Undersecretary Welles' speech of November 11, they feared that war might at any moment be "forced upon us." Those who recalled the President's peace pledges of 1940, which still stood in the record, may have hoped that he could or would, in spite of the crisis, keep the country out of war.

It was amid complicated circumstances that Secretary Hull worked at the problem raised by the Japanese proposal for a truce or *modus vivendi*. He knew from intercepts of secret Japanese messages, that this was regarded in Tokyo as the "last effort" on the part of the Japanese Government. Should he make a blunt reply or resort to supreme diplomatic ingenuity in an attempt to keep conversations going in the hope of peace in the Pacific or at least postponing war for a time until the American Army and Navy were better equipped to fight it? He knew that on August 17, 1941, President Roosevelt had served a warning notice on Tokyo to the effect that in case of any further Japanese encroachments on their neighbors, the United States would take steps that meant war. He knew that during all the explorations since August, the position then taken had been firmly maintained, that the war plans for coöperation with Great Britain, the Netherlands, and Australia were all predicated upon joint action against Japan if she moved southward beyond definite boundary lines. Secretary Hull was well aware that General Marshall and Admiral Stark had been and were pressing for more time in which to prepare the Army and Navy for war. Was it not for him a matter of supreme statesmanship to prevent, if humanly possible, a two-front war for the United States—a war in the Pacific as well as the "shooting war" in the Atlantic?

As far as the documentary record goes, Secretary Hull for a few days at least considered a *modus vivendi* with Japan

desirable and feasible. From November 22 to November 26, the Secretary, in consultation with the President and the highest military authorities, worked over proposals and plans for some kind of adjustment with Japan on the basis of the Japanese note of November 20.³⁶ In this connection the project was discussed with representatives of Great Britain, Australia, the Netherlands, and China. The principles of the final draft were approved by Secretary Stimson, who declared that it adequately safeguarded "American interests."

Alarmed lest the Government of the United States make something like a truce or temporary standstill with Japan, with a view to further negotiation actually looking to the maintenance of peace in the Pacific, Chinese diplomatic and special agents, supported by powerful American interests, made a storm over the proposed *modus vivendi* with Japan. In this operation, they were ably led by the Chinese Ambassador, Dr. Hu Shih, a liberal, wise in the ways of the West and the East, once well marked by the dread police of the Chiang Kai-shek Government, now serving it in the United States where "liberalism" was an asset. From day to day, hour to hour, the Chinese and their agents bombarded Secretary Hull so heavily with protests against any truce with Japan that the situation in Washington became almost hysterical.

This state of affairs was later described by Secretary Hull himself. The Secretary, in a subsequent statement relative to the pressures then brought to bear on him by the Chinese, declared that Chiang Kai-shek "has sent numerous hysterical cable messages to different cabinet officers and high officials in the Government other than the State Department, and sometimes even ignoring the President, intruding into a delicate and serious situation with no real idea of what the facts are." Secretary Hull further said that "Chiang Kai-shek had his brother-in-law, located here in Washington, disseminate damaging reports at times to the press and others, apparently

36. Various drafts of the proposed *modus vivendi* with Japan are to be found in *ibid.*, along with other relevant documents. For a digest of Mr. Hull's account, see CJC, *Report*, pp. 33 ff.

with no particular purpose in mind." Besieged by Chinese agents in London, Prime Minister Churchill, instead of supporting his Ambassador in Washington, Lord Halifax, who was eager for a truce in the Pacific, intervened by sending a confusing message as if trying to support the Chinese side of the dispute with the Government of the United States.

Disturbed by the vacillations introduced by Mr. Churchill's intrusion into American affairs, Secretary Hull exclaimed that it would have been better if, when Churchill received Chiang Kai-shek's loud protest about our negotiations here with Japan, instead of passing the protest on to us without objection on his part, thereby qualifying and virtually killing what we knew were the individual views of the British Government toward these negotiations, he had sent a strong cable back to Chiang Kai-shek telling him to brace up and fight with the same zeal as the Japanese and the Germans are displaying instead of weakening and telling the Chinese people that all of the friendly countries were now striving primarily to protect themselves and to force an agreement between China and Japan, every Chinese should understand from such a procedure that the best possible course was being pursued and that this calls for resolute fighting until the undertaking is consummated by peace negotiations which Japan in due course would be obliged to enter into with China.³⁷

In other words, while the negotiations over the Japanese proposal for a *modus vivendi* were proceeding, Secretary Hull was disgusted with the operations of Chinese agents. He was convinced that the tentatives of the proposal should be explored and efforts be made to reach some kind of basis for further explorations in the direction of a settlement in the Far East. He was likewise convinced that in the proceedings along this line the real interests of China could be protected by the United States, indeed advanced, until, at least, the willingness of Japan to come to decent terms could be probed to the bottom. So, at least, it seems.

But for reasons which are nowhere explicit, despite the thousands of words on the subject that appear in the Pearl

37. CJC, Part 14, pp. 1194 ff.

Harbor documents and testimony, Secretary Hull, after consulting President Roosevelt, suddenly and completely abandoned the project and on November 26, 1941, handed the Japanese Ambassador and Mr. Kurusu, the historic memorandum which the Japanese Government treated as an ultimatum.³⁸ When the Japanese representatives in Washington read the document, Mr. Kurusu assured the Secretary that the Japanese Government, after examining it, would be likely to throw up its hands. When, the next morning, Secretary Stimson asked Secretary Hull what had been done about the *modus vivendi* project, the Secretary replied that "he had broken the whole matter off." He then added: "I have washed my hands of it and it is now in the hands of you and Knox—the Army and the Navy."³⁹

38. For the nature and significance of this memorandum, see above, Chap. IX; and for the upshot of the decision to send it, see below, pp. 555 ff.

39. Alden Hatch, who claims to have inside information from prominent persons close to President Roosevelt at the time, seems to ascribe this momentous decision mainly to Secretary Hull, for he says: "Roosevelt was uncertain if he had done the right thing in allowing Hull to present his ten-point program to Japan on November 26. Though it offered them great economic concessions, and the access to the goods of the Indies that they desired, it called on them to desist in China. He feared they would never do that." *Franklin D. Roosevelt: An Informal Biography*, p. 289.

CHAPTER XVII

Maneuvering the Japanese into Firing the First Shot

AS a matter of fact, President Roosevelt and his War Cabinet were far from convinced that Secretary Hull's memorandum of November 26 and the desultory conversations with the Japanese which followed actually looked toward the maintenance of peace in the Pacific. On November 25, the day before this ultimative note was delivered to Japan, Secretary Stimson told Secretary Hull that even the milder proposal for a *modus vivendi*¹ would not be accepted by the Japanese "because it was so drastic."² Moreover, at noon that day, while decision on the *modus vivendi* was presumably pending, the President and his War Cabinet discussed war, not prospects of peace, and dealt with the question of how the war might start.

November 25, 1941. An inside account of this meeting of the President and his War Cabinet is provided by Secretary Stimson, a leading and pertinacious actor in the affairs of the time, in his *Diary* for November 25, 1941, as follows:

Then at 12 o'clock we (*viz.*, General Marshall and I) went to the White House, where we were until nearly half past one. At the meeting were Hull, Knox, Marshall, Stark, and myself. There the President, instead of bringing up the Victory Parade,³ brought up entirely the relations with the Japanese. He brought up the event that we were likely to be attacked perhaps (as soon as) next Monday, for the Japanese are notorious for making an attack without warning, and the question was what we should do. The question was how we should maneuver them into the position of firing the first shot without allowing too much danger to ourselves.

1. See above, pp. 510 ff.

2. *Diary*, for November 25, 1941.

3. "This was an office nickname for the General Staff strategic plan of national action in case of war in Europe." [Mr. Stimson's note.]

It was a difficult proposition.⁴ Hull laid out his general broad propositions on which the thing should be rested—the freedom of the seas and the fact that Japan was in alliance with Hitler and was carrying out his policy of world aggression. The others brought out the fact that any such expedition to the South as the Japanese were likely to take would be an encirclement of our interests in the Philippines and cutting into our vital supplies of rubber from Malaysia. I pointed out to the President that he had already taken the first steps towards an ultimatum in notifying Japan way back last summer that if she crossed the border into Thailand she was violating our safety and that therefore he had only to point out (to Japan) that to follow any such expedition was a violation of a warning we had already given. So Hull is to go to work on preparing that. When I got back to the Department I found news from G-2 that an (a Japanese) expedition had started. Five divisions have come down from Shantung and Shansi to Shanghai and there they had embarked on ships—30, 40, or 50 ships—and have been sighted south of Formosa. I at once called up Hull and told him about it, and sent copies to him and to the President of the message from G-2.⁵

In a statement to the Congressional Committee on Pearl Harbor in 1946, Secretary Stimson elaborated his views respecting the problem of the tactics pursued by the Administration in maneuvering the Japanese into firing the first shot. The War Cabinet knew very well in November, 1941, that

4. "See statement, pp. 11 and 14. Our military and naval advisers had warned us that we could not safely allow the Japanese to move against British Malaysia or the Dutch East Indies without attempting to prevent it." [Mr. Stimson's note.]

5. Secretary Stimson's statement that the question was one of maneuvering the Japanese into the position of firing the first shot made much trouble for the Democratic members of the Congressional Committee. See above, Chap. XII. Senator Scott Lucas asked Admiral Stark whether there was "any one man or group of men who maneuvered the Japanese crisis so as to deliberately invite the Pearl Harbor attack." Admiral Stark replied in the negative and declared that "on the contrary we were trying to maintain peace in the Pacific." CJC, Part 5, p. 2271. In their Conclusions, the majority denied that "the President, the Secretary of State, the Secretary of War, or the Secretary of Navy tricked, provoked, incited, cajoled, or coerced Japan into attacking this Nation in order that a declaration of war might be more easily obtained from the Congress." (CJC, *Report*, p. 251). They refrained from using in this sentence the word "maneuvered."

none of the official announcements issued by the White House or the Department of State had revealed anything definite about the diplomatic situation as of November 25, 1941, and that the American people were sharply divided over war involvement in the Pacific or in the Atlantic. Hence, as Mr. Stimson later told the Congressional Committee in 1946, the War Cabinet confronted a delicate situation on November 25, 1941:

One problem troubled us very much. If you know that your enemy is going to strike you, it is not usually wise to wait until he gets the jump on you by taking the initiative. In spite of the risk involved, however, in letting the Japanese fire the first shot, *we realized that in order to have the full support of the American people it was desirable to make sure that the Japanese be the ones to do this so that there should remain no doubt in anyone's mind as to who were the aggressors. We discussed at this meeting the basis on which this country's position could be most clearly explained to our own people and to the world, in case we had to go into the fight quickly because of some sudden move on the part of the Japanese.* We discussed the possibility of a statement summarizing all the steps of aggression that the Japanese had already taken, the encirclement of our interests in the Philippines which was resulting and the threat to our vital supplies of rubber from Malay. I reminded the President that on August 19th [17th] he had warned the Japanese Ambassador that if the steps which the Japanese were then taking continued across the border into Thailand, he would regard it as a matter affecting our safety, and suggested that he might point out that the moves the Japanese were now apparently on the point of making would be in fact a violation of a warning that had already been given.⁶ (Italics supplied.)

At a hearing of the Congressional Committee on April 9, 1946,⁷ Senator Ferguson asked General Marshall, who had been present at the War Cabinet meeting on November 25, 1941, to explain what was meant by maneuvering the Japa-

6. Stimson, Statement (Mimeograph), pp. 14 f.

7. CJC, Part 11, pp. 5187 ff. April 9, 1946.

nese into the position of firing the first shot. The questioning and answering ran as follows:

SENATOR FERGUSON. General Marshall, you have read Secretary Stimson's memorandum. I want to go to page 12 and ask you if you were notified of this—quoting the Secretary of War:

"The President at the meeting undertook to take an informal vote of the Cabinet as to whether it was thought the American people would back us up if it became necessary to strike at Japan, in case she should attack England in Malaya, or the Dutch in the East Indies. The Cabinet was unanimous in the feeling that the country would support such a move."

That comes from the diary as of November 7.

Were you advised as to that vote?

GENERAL MARSHALL. I have no recollection of it, but I am pretty certain he must have told me, because he was telling me the results of those meetings.

SENATOR FERGUSON. Then I go to page 27 (page 46) of his memorandum. This is on November 25. This is the day before the Secretary of State sent his message to the Japanese. He is quoting the President:

"Then, at 12 o'clock, General Marshall and I went to the White House where we were until nearly half-past one. At the meeting were Hull, Knox, Marshall, Stark, and myself. There the President, instead of bringing up the Victory Parade . . . brought up entirely the relations with the Japanese. He brought up the event that we were likely to be attacked perhaps (as soon as) next Monday, for the Japanese are notorious for making an attack without warning, and the question was what we should do. The question was how we should maneuver them into the position of firing the first shot without allowing too much danger to ourselves. It was a difficult proposition."

Do you recall that discussion with the President?

GENERAL MARSHALL. Yes, sir.

SENATOR FERGUSON. How was it thought that we could maneuver them into firing the first shot? Was that discussed?

GENERAL MARSHALL. I don't recall the details of that particular phase of the matter.

SENATOR FERGUSON. This takes place before we sent the message of the 26th.

GENERAL MARSHALL. Yes, sir.

SENATOR FERGUSON. Or before you had sent your message to General Short on the 27th.

GENERAL MARSHALL. Yes, sir.

SENATOR FERGUSON. What were we going to do to maneuver them into firing the first shot? What was the plan of operation?

GENERAL MARSHALL. You are talking, I take it, about diplomatic procedure?

SENATOR FERGUSON. Yes.

GENERAL MARSHALL. I am assuming that it is the diplomatic procedure that is being discussed at the present time. We knew our resources. We knew our deployment. It was impossible to change that on any brief notice. We were committed to deployment thousands of miles away from the United States.

So far as the war plan goes, the concern was whether or not the final alert should be given.

I took a discussion of this kind—at least I take it now—was a discussion of the diplomatic procedure involved, having in mind that it was the accepted thought in all of our minds at that time, that if we were forced to take offensive action, immediate offensive action, that it would be a most serious matter as to its interpretation by the American people, whether we would have a united nation, or whether we would have a divided nation in getting into a world conflict.

SENATOR FERGUSON. But this—

GENERAL MARSHALL. The planning they are talking about is the discussion that came later, as I understood.

SENATOR FERGUSON. You would take it that Mr. Stimson has in mind that we were going to maneuver diplomatically into a position where they would be compelled to fire the first shot?

GENERAL MARSHALL. No, I don't mean to imply that. I mean the expression he is using relates to what would be the diplomatic procedure we would follow, so we would not find ourselves in a dangerous position where we had to do something initiating a fight. He was not trying to provoke the Japanese to fight.

SENATOR FERGUSON. Let's take his language:

"The question was how we should maneuver them into the position of firing the first shot without allowing too much danger to ourselves."

GENERAL MARSHALL. That is exactly what I said, sir. When you

are sitting back and the other man is doing all of the maneuvering, you are in a very dangerous position. The question and the desire at that time was to delay in every way possible a rupture in the Pacific.

Now, if they were going to attack, it was very important—

SENATOR FERGUSON. Right there, General, may I interrupt to ask, were we of the opinion at that time that they were going to attack?

GENERAL MARSHALL. That was the general opinion, that they were going to attack, definitely, in the Southwest Pacific.

SENATOR FERGUSON. And we wanted to lay our course diplomatically so that we would make sure that they would fire the first shot?

GENERAL MARSHALL. So that we would make sure that we would not be in such a dangerous position that we would be forced to fire the first shot ourselves. That is another way of putting it, but that is what he is talking about.

SENATOR FERGUSON. That is one of the things that led to this restricted language in the message of the 27th [to General Short in Hawaii].

GENERAL MARSHALL. So far as the first shot is concerned; yes, sir.

SENATOR FERGUSON. And also as to—well, the first overt act is the same thing as the first shot.

GENERAL MARSHALL. Yes.

SENATOR FERGUSON. And that was leading up to that message; is that correct?

GENERAL MARSHALL. No, this was leading up, as I understood it, and as I recall it, to what the diplomatic procedure was to be. The alert, to a certain extent, you might say, is a routine. Not in one sense that alert for war is ever routine, but the arranging, the phrasing of that alert to fight. What the diplomatic and political situation was, was another matter.

SENATOR FERGUSON. Now, was this discussed at the same meeting?

Mr. Stimson said, at the bottom of page 47:

"I pointed out to the President that he had already taken the first steps toward an ultimatum in notifying Japan way back last summer that if she crossed the border into Thailand, she was violating our safety, and that therefore he had only to point out

(to Japan) that to follow any such expedition was a violation of a warning we had already given. So Hull is to go to work on preparing that."

Now, I take it he was talking about the memorandum and the conversation he had on the 27th [17th] of August. That is when the President returned from the Atlantic Conference.⁸

We had taken, as Mr. Stimson defines it, the first step in an ultimatum, and that if America wanted to, we could rely upon that particular message as saying—

We have warned you. Therefore if you do anything you take the first step and fire the first shot.

Is that correct? Is that a fair analysis?

GENERAL MARSHALL. I think that is the rough idea of the thing; yes.

SENATOR FERGUSON. And it says then:

"So Hull is to go to work on preparing that."

What did he mean by "preparing that"? Have you any idea?

GENERAL MARSHALL. You are having me act as both Mr. Stimson and Mr. Hull.

SENATOR FERGUSON. Well, the reason I am asking you, General, is that you were supposed to be at this meeting.

GENERAL MARSHALL. Yes. As I said, they were trying to arrange a diplomatic procedure, rather than firing off a gun, that would not only protect our interests, by arranging matters so that the Japanese couldn't intrude any further in a dangerous way, but also that anything they did do, they would be forced to take the offensive action, and what we were to do had to be prepared for the President by Mr. Hull. It was not a military order. It was not a military arrangement. . . .

November 27, 1941, the day after Secretary Hull had handed his memorandum to the Japanese, the War Department and the Navy Department sent to the American outpost commanders, including General Short and Admiral Kimmel, messages which the Roosevelt Administration, supported by the Roberts Commission, later claimed were sufficient notices to prepare for the coming of war. A comparison of the Army and Navy messages from October 16 to December 7, 1941,

8. See above, p. 486.

including the messages of November 27, demonstrates the truth of what the Army Pearl Harbor Board says of them:

a. That they were conflicting.

b. That the Navy messages were predominant with warnings of a conflict and the Army messages with the idea of avoiding a conflict and taking precautions against sabotage and espionage.⁹

Even the President's own Commission on Pearl Harbor implied that the messages were not clear and precise when it charged General Short and Admiral Kimmel with failure to "consult and cooperate" with respect to necessary action in view of the warnings received, and further declared that "it was a dereliction of duty on the part of each of them not to consult and confer with the other respecting the meaning and intent of the warnings, and the appropriate measures of defense required by the imminence of hostilities."¹⁰ This was, indeed, a definite admission to the effect that the messages were confused and confusing; for, if the Washington superiors of the two commanders had written clear and precise instructions in their messages it would have been unnecessary for General Short and Admiral Kimmel to consult and confer with each other at length for the purpose of finding out what the language of the messages meant.

The majority of the Congressional Committee on Pearl Harbor, while holding that General Short and Admiral Kimmel should have done more in the way of preparations for defense on receipt of the messages of November 27, 1941, cleared the Commanders of derelictions of duty in the matter of semantics and concluded that there had been confusion in Washington as well as Hawaii in this respect.¹¹ With regard to the messages of November 27, the minority of the Congressional Committee commented on their vagueness and said: "If any candid person has any doubt about their insufficiency to constitute orders for an all-out alert to meet a probable Japanese attack on Pearl Harbor, he can allay his doubt by examining carefully the messages of November 27 to General

9. CJC, Part 39, p. 140.

10. Full text above, pp. 217 ff.

11. CJC, *Report*, Parts 4 and 5.

Short and Admiral Kimmel." The minority then printed them with italics supplied as follows in parallel columns for examination:¹²

To General Short

Negotiations with Japanese appear to be terminated *to all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue. Japanese future action unpredictable* but hostile action possible at any moment. If hostilities cannot, repeat can not, be avoided *the U.S. desires that Japan commit the first overt act.* This policy should not, repeat not, be construed as restricting you to a course of action that might jeopardize your defense. Prior to Japanese hostile action you are directed to undertake such reconnaissance and other measures as you deem necessary *but these measures should be carried out so as not, repeat not, to alarm the civil population or disclose intent. Report measures taken.* Should hostilities occur, you will carry out tasks assigned in Rainbow Five as far as they pertain to Japan. *Limit dissemination of this highly secret information to minimum essential officers.*

To Admiral Kimmel

Consider this dispatch a war warning. The negotiations with Japan in an effort to stabilize conditions in the Pacific *have ended.* Japan is expected to make aggressive move within the next few days. *An amphibious expedition against either the Philippines, Thai, or Kra Peninsula or possibly Borneo is indicated by the number and equipment of Japanese troops and the organization of their naval task forces.* You will execute a defensive deployment in preparation for carrying out the tasks assigned in WPL 46 only. *Guam, Samoa and Continental Districts have been directed to take appropriate measures against sabotage. A similar warning is being sent by the War Department.* Inform naval district and Army authorities. British to be informed by Spnavo.

Although the controversy over the nature, meaning, and sufficiency of these so-called war warning messages of No-

12. *Ibid.*, p. 539.

vember 27, 1941, fills pages and pages of the committee's testimony and documentation, the subject pertains to military and naval administration rather than to the conduct of foreign affairs. The point here is that President Roosevelt, Secretary Hull, Secretary Stimson, and Secretary Knox were then convinced that conversations looking to the maintenance of peace in the Pacific were for practical purposes at an end on November 27.

November 28, 1941. In the morning Secretary Stimson took to President Roosevelt a report of facts relative to the latest movement of Japanese southward. They discussed the situation. As Mr. Stimson recorded their conversation, the President's "alternatives were—first to do nothing; second, to make something in the nature of an ultimatum again, stating a point beyond which we would fight; third, to fight at once." Thereupon, Mr. Stimson reports: "I told him my only two were the last two, because I did not think anyone would do nothing in this situation, and he agreed with me. I said of the other two my choice was the latter one," that is, to fight at once.¹³

In a statement to the Congressional Committee on Pearl Harbor in 1946, Secretary Stimson described in stronger terms this conversation with President Roosevelt. He then said that he had told the President on November 28, 1941, that

the desirable thing to do from the point of view of our own tactics and safety was to take the initiative and attack [the Japanese forces moving southward] without further warning. It is axiomatic that the best defense is offense. It is always dangerous to wait and let the enemy make the first move. I was inclined to feel that the warning given in August by the President against further moves by the Japanese toward Thailand justified an attack without further warning,¹⁴ particularly as their new movement southward indicated that they were about to violate that warning. On the other hand, I realized that the situation could be made more clean

13. *Diary*, for November 28, 1941.

14. In other words, make war, without calling upon Congress for a declaration of war.

cut from the point of view of public opinion if a further warning were given.¹⁵

An immediate attack by the United States, however, was obviously out of line with the tactics of maneuvering the Japanese into firing the first shot which had been discussed at the meeting of the War Cabinet three days before, on November 25, 1941, and more than incidentally out of line with the declaration of the Democratic platform of 1940: no war, "except in case of attack."¹⁶

At noon, November 28, 1941, when the War Cabinet met with the President, the southward movements of Japanese forces were taken under consideration. It was agreed that if the Japanese expedition was allowed to get around the southern point of Indo-China and land in the Gulf of Siam, it would be a terrific blow at Britain, the Netherlands, and the Philippines. All members of the conference, Mr. Stimson recorded in his *Diary*, were of the opinion that "this must not be allowed. Then we discussed how to prevent it. It was agreed that if the Japanese got into the Isthmus of Kra, the British would fight. It was also agreed that if the British fought, we would have to fight."

They considered striking the Japanese force, as it went by, without a warning, but this bold deed was one "which we didn't think we could do." The President brought up the idea of sending a warning letter to the Japanese Emperor. Secretary Stimson offered objections and said that the President should send a message to Congress and the American people, reporting the danger and "what we would have to do if the danger happened." The letter to the Emperor, he thought, should be a separate and "secret thing." The President asked Secretaries Hull, Stimson, and Knox to make drafts of these papers.

Sometime during the day, November 28, 1941—on which the President and his War Cabinet considered anew the tactics of maneuvering—American Army Intelligence intercepted,

15. Stimson, *Statement*, pp. 26 f.

16. See Beard, *op. cit.*, p. 291.

decoded, and translated a startling message from the Japanese Government to its Ambassadors in Washington. This message declared that Secretary Hull's memorandum of November 26 was a "humiliating proposal," that it was "unexpected and extremely regrettable," and that it could not be used as "a basis for negotiations." The message also informed the Ambassadors that a reply to Secretary Hull's memorandum would be sent from Tokyo "in two or three days" and that then "the negotiations will be de facto ruptured. This is inevitable. However, I do not wish you to give the impression that the negotiations are broken off. Merely say to them that you are awaiting instructions. . . . From now on do the best you can."¹⁷ If President Roosevelt and Secretary Hull had actually entertained on November 26 any hope of further conversations looking to peace in the Pacific, this message from Tokyo on November 28 must have put an end to it.

November 29, 1941. Since the President and his War Cabinet had decided on November 28 against committing an overt act by striking the Japanese forces moving southward in the Far Pacific and in favor of other tactics, Secretary Hull, with the aid of Secretary Stimson and Secretary Knox, prepared and sent to the President a draft of a proposed message to Congress. With this draft, Secretary Hull enclosed a memorandum in which he said: "I think we agree that you will not send message to Congress *until the last stage of our relations, relating to actual hostility*, has been reached." (Italics supplied.)

Whether the draft of a proposed message to Congress was for "the record" or not, it proved to be merely one of the documents in the record, for it was never sent to Congress. With regard to a proposed letter to the Japanese Emperor, a draft of which also went with the suggested presidential message, Secretary Hull, on November 29, told the President that sending it to the Emperor would be "of doubtful efficacy. Except

17. CJC, Part 12, Exhibit 1, p. 195. This message, coupled with messages that had been intercepted on previous days, especially November 27, 1941, lent support to the view privately expressed by President Roosevelt on November 25 to the effect that the Japanese might attack as early as Monday, December 1. See intercepted messages, *ibid.*, pp. 172 ff.

for the purpose of making a record it might even cause such a complication as Colonel Stimson and I referred to on yesterday." Asked by Senator Ferguson in 1946 what he meant by the expression "for the purpose of making a record," Secretary Hull said: "The expression, 'for the purpose of making a record,' has reference to the matter of making perfectly clear to both the American and Japanese peoples then and for the future that all the efforts of this Government were directed toward maintaining peace to the very end."¹⁸

Senator Ferguson, in Question 17, also asked Secretary Hull in 1946 to relate what President Roosevelt had said about the proposal to send a message to Congress discussed on or about November 30. Secretary Hull answered that he had no specific recollection as to that, "but the record is that he did not send the message to Congress."

Question 18. Why did he not send it to Congress?

Answer: The President and I had for some time been communicating to various Members of Congress our views on the imminent dangers in the situation in connection with such matters as neutrality legislation and extension of selective service [back in October and earlier]. A message to Congress during the last few days would have contained very little that was new without giving to the Japanese leaders material which would have enabled them to arouse their people against us all the more, a thing we wished to avoid so long as there was even the slightest possibility of keeping the discussions alive.

Furthermore, the powerful isolationist groups in this country would probably have renewed their oft-repeated charges of "warmongering" and "dragging the nation into foreign wars." The Japanese leaders would then have been in a position to play up the situation as evidencing disunity in the United States in order to gain support in Japan for plunging ahead.¹⁹

18. CJC, Part 11, pp. 5384 f.

19. *Ibid.*, pp. 5374 f. The majority of the Congressional Committee on Pearl Harbor stated in 1946: "It is indisputable that the President and his Cabinet contemplated presenting the problem to the Congress should our position in the Far East become intolerable." CJC, *Report*, p. 171. If, however, the President and his Cabinet did "contemplate" appealing to Congress, they certainly never laid the problem before Congress and if the position of the United States was not "intolerable" between November 28, 1941, and December 7, 1941, then it would be

On Monday, December 1, the President and members of his War Cabinet received the intercept of a secret message of November 30 from Tokyo to Berlin instructing the Japanese Ambassador there to say to Chancellor Hitler and Foreign Minister Ribbentrop, "very secretly," that "there is extreme danger that war may suddenly break out between the Anglo-Saxon nations and Japan through some clash of arms and add that the time of the breaking out of this war may come quicker than anyone dreams." That day these high officials in Washington also had an intercept of a secret message from Tokyo to the Embassy in Washington giving instructions relative to burning its codes when "faced with the necessity."²⁰

Shortly before midnight on December 1, at the direction of President Roosevelt, the Navy Department instructed Admiral Hart, Commander of the American Asiatic Fleet, to charter three small vessels to form a "defensive information patrol," each in command of a naval officer, for the purpose of observing and reporting by radio on movements of Japanese forces in the west China Sea and Gulf of Siam. Admiral Hart was also ordered to report on the nature and effectiveness of Army and Navy reconnaissance in that region by American planes and submarines.²¹

December 2, 1941. Undersecretary Welles, acting for Secretary Hull who was ill and absent from the State Department, called the Japanese Ambassadors to his office and told them that President Roosevelt wanted information from their gov-

difficult to imagine a position that would come within any definition of the word. In his draft of a proposed message to Congress, covered by a memorandum to the President, dated November 29, 1941, Secretary Hull wrote: "We do not want war with Japan, and Japan does not want war with this country. If, however, war should come, the fault and the responsibility will be those of Japan." CJC, Part 14, pp. 1201 ff., 1222. For drafts of a proposed message to Congress, drawn by Secretary Knox and Secretary Stimson, see CJC, Part 19, Exhibit 161. None of these drafts went beyond generalities already known to members of Congress and informed observers outside of Congress. They gave no hint that, if he had sent a message based on these drafts, the President would have called upon Congress for a declaration of war in view of the "intolerable" position of the United States.

20. CJC, Part 12, Exhibit 1, pp. 204 ff.

21. CJC, *Report* (Appendix D), p. 414.

ernment on the nature and meaning of the continuing movement and concentration of Japanese forces in Indo-China.²²

Secretary Stimson advised two Chinese representatives, Alfred Sze and T. V. Soong, to counsel Generalissimo Chiang "to have just a little more patience and then I think all things will be well."²³

Messages from Tokyo to Ambassador Nomura made available to American officials in Washington on December 2, explained arrangements for secretly communicating information respecting armed clashes or "full-fledged general war" if or when they came.²⁴

December 3, 1941. At a press conference, Secretary Hull outlined the course of recent exploratory conversations with Japanese envoys and stated that whether the conversations would continue would depend upon Japan's answers to inquiries respecting her troops in Indo-China, and to the memorandum he had delivered to Ambassador Nomura on November 26.²⁵

December 4, 1941. President Roosevelt conferred for two hours with six majority and minority leaders of the Senate and House on the Far Eastern situation. The members of Congress were reported to have left the White House "with the impression that the situation is critical, but will not necessarily come to a show-down" on receipt of Japan's reply on her troop movements in Indo-China.²⁶

On December 4, Army Intelligence made available to high officials in Washington the corrected translation of an ominous message from the Japanese Government to its Embassy in Washington and its Embassy in Havana.²⁷ These messages, dated December 2, 1941, ordered the destruction of certain code machines and machine codes. The messages could have

22. CJC, *ibid.*, pp. 415 f.

23. *Diary*, for December 2.

24. CJC, *Report*, p. 418.

25. *New York Times*, December 4, 1941; Secretary Hull then knew that the Japanese answer would mark a de facto disruption of negotiations. See above, p. 528.

26. CJC, *Report*, p. 419, quoting the *Washington Post* of December 5, 1941.

27. CJC, Part 12, Exhibit 1, pp. 215 ff.

only one meaning to anybody informed about the relation of such orders to the immediate imminence of war, as repeatedly demonstrated in diplomatic history.

On December 4 or 5, Admiral Beardall, the Navy Aide to the President, on delivering to President Roosevelt some of the intercepts of Japanese secret messages, called his attention to the message about burning the codes. After reading it, the President asked: "Well, when do you think it will happen?" The Admiral replied: "Most any time." In testifying before the Congressional Committee on Pearl Harbor about four years later, Admiral Beardall said he understood the President to mean: "When is war going to break out, when are we going to be attacked, or something."²⁸

December 4, 1941.

On December 4, 1941, information was received through the Navy Department which was sent to Captain Safford which contained the Japanese "winds" message, "War with England, War with America, Peace with Russia." This original message has now disappeared from the Navy files and cannot be found. It was in existence just after Pearl Harbor and was collected with other messages for submission to the Roberts Commission. Copies were in existence in various places but they have all disappeared. . . . This "winds execute" message . . . was last seen by Commander Safford about December 14, 1941, when he collected the papers together with Commander Kramer and turned them over to the Director of Naval Communication for use as evidence before the Roberts Commission.

There, therefore, can be no question that between the dates of December 4 and December 6, the imminence of war on the following Saturday and Sunday, December 6 and 7, was clear-cut and definite.²⁹

The above statement is from "Top Secret Report of the Army Pearl Harbor Board" (1944) which was not released to the public until after the Congressional Committee on Pearl Harbor had begun its inquiry.

²⁸. CJC, *Report*, p. 420.

²⁹. CJC, Part 39, pp. 225 f., 229 f.

Like the Army Pearl Harbor Board, the Navy Court of Inquiry, in the course of its investigation came across the problem of the "winds execute" message. In its report (1944, Addendum), the Inquiry declared: "On 4 December an intercepted Japanese broadcast employing this code was received in the Navy Department. . . . This message cannot now [1944] be located in the Navy Department." The Navy Court, however, concluded that "this notification was subject to two interpretations, either a breaking off of diplomatic relations between Japan and the United States, or war," and stated that "this information was not transmitted to the Commander-in-Chief, Pacific Fleet, or to other Commanders afloat." The Navy Court added: "No attempt was made by the Navy Department to ascertain whether this information had been obtained by the Commander-in-Chief, Pacific and by other Commanders afloat. Admiral Stark stated that he knew nothing about it, although Admiral Turner stated that he himself was familiar with it and presumed that Admiral Kimmel had it."³⁰ Whether the winds execute message was to be taken as meaning a breach in diplomatic relations with Japan or war, it was included in the items of evidence on which the Navy Court cleared Admiral Kimmel of the grave charges filed against him by the President's Commission on Pearl Harbor (1942) and at the same time indicted high authorities in Washington.^{30a}

The truth of the statement on the winds execute message made by the Army Pearl Harbor Board signed October 20, 1944, was soon challenged by Secretary Stimson. Evidently impressed by it and other passages in the Report, the Secretary ordered re-investigations of the issues so posed and for that purpose commissioned his own agents. Secretary Stimson's example in this respect was followed by Secretary Forrestal. On the basis of these new inquiries, in the course of which some witnesses changed their previous testimony, a decision was reached in Administration circles to the effect that the winds execute message, at least in the form quoted by the Army

30. *Ibid.*, pp. 324 f.

30a. See above, pp. 306 ff.

Pearl Harbor Board, had not been received and distributed to President Roosevelt and other high officials as contended by the Board. Thus questions of fact, the credibility of witnesses, and the good faith of several parties to the transactions were raised after the release of the board's "Top Secret Report" in December, 1945.

These controversial questions were reviewed by the Congressional Committee on Pearl Harbor at several hearings during which a number of witnesses made strange spectacles of themselves. In their report (Appendix E) the Democratic majority gave a brief survey of the disputed points and the contradictions in the evidence and stated:

From consideration of all evidence relating to the winds code, it is concluded that no genuine message, in execution of the code and applying to the United States, was received in the War or Navy Department prior to December 7, 1941. It appears, however, that messages were received which were initially thought possibly to be in execution of the code but were determined not to be execute messages. In view of the preponderate weight of evidence to the contrary, it is believed that Captain Safford is honestly mistaken when he insists that an execute message was received prior to December 7, 1941. Considering the period of time that has elapsed, this mistaken impression is understandable.³¹

Then the majority of the committee made an extraordinary declaration. The alleged Japanese execute message in question received on December 4, 1941, read: "War with England, War with America, Peace with Russia." The majority's declaration in 1946 was: "Granting for the purposes of discussion that a genuine execute message applying to the winds code was intercepted before December 7, it is concluded that *such fact would have added nothing to what was already known concerning the critical character of our relations with the Empire of Japan.*"³² Apparently this conclusion concedes that the Administration, after December 4, 1941, was fully aware of Japanese war intentions without the aid of the winds message.

31. CJC, *Report* (Appendix E), p. 486 and pp. 191 f. (Italics supplied.)

32. *Ibid.*

It is also to be noted that the conclusion of the majority is cautiously worded. It reads: "It appears, however, that messages were received which were initially thought possibly to be an execution of the code." Then the majority added: but these messages "were determined not to be execute messages." Determined *when* and *by whom* not to be execute messages? As far as I can discover by a study of the Congressional Committee's record it was not clearly so determined in 1941 by the Navy officers most responsible for receiving and interpreting the "execute" message in December, 1941. Nor was it so determined by the Army Pearl Harbor Board or the Navy Court of Inquiry in 1944. The majority's conclusion in this respect was based on the conflicting, contradictory, and confused evidence brought out by the Congressional Committee *after* the bitter controversy had arisen over the truth of the matter as a result of the release of the Army and Navy boards' reports.³³

On one point respecting the winds execute message, the Republican minority of the Congressional Committee agreed with the majority, by saying that, if it be discounted, such discounting in no way affected the other evidence with regard to Japanese war intentions which was in the hands of high authorities in Washington in December, 1941. The minority, however, drew attention to testimony of Admiral Royal E. Ingersoll, Assistant Chief of Naval Operations and thus deputy of Admiral Stark, before the Hart Inquiry. Admiral Ingersoll had then been asked whether he recalled a Japanese plan for a weather message, and he replied: "Yes; I do recall such messages." He had then been asked whether he recalled having seen, on or about December 4, 1941, broadcast directions indicating that the Japanese were about to attack both Great Britain and the United States, and to this he responded: "Yes."

After citing Admiral Ingersoll's testimony before the Hart Inquiry, the minority referred to testimony before the Congressional Committee and said that Admiral Ingersoll and Admiral Richmond K. Turner, Chief of the Navy War Plans

33. See above, pp. 532 ff., and below, p. 536.

Division, had stated "they did not know until 1945 about the allegation that there had been no wind execute message." The minority concluded: "Even if the wind execute message they saw was a false one they believed it true at the time and should have acted accordingly"—by sending a new warning message to Admiral Kimmel.³⁴

From the vast mass of evidence relative to the winds execute message, what substantial conclusion may be properly drawn? It is, in my opinion, that, despite all confusing testimony educed by the Congressional Committee in 1945-46, high and responsible officers in the Navy Department did have before them on December 4 or 5 a message which they regarded as a winds execute message and at the time did believe that it meant either a breach in diplomatic relations with Japan or war.³⁵

During the morning of December 5, 1941, Undersecretary Welles informed the President that the Australian Prime Minister had suggested that his government would welcome a visit from Wendell Willkie if Mr. Willkie could come with the

34. CJC, *Report*, p. 526.

35. My opinion expressed above is based on a careful study of relevant documents and testimony in the case from the Roberts Report of January, 1942, to the enormous record of the Congressional Committee (1946). A full exposition of the materials would fill a volume. Any one who ventures an informed opinion on the subject confronts the task of reviewing (1) the early and direct evidence indicating the existence of the winds execute message; (2) the denials and contradictory evidence educed after Secretary Stimson and Secretary Forrestal, faced by the indictments launched by the Army and Navy boards against high officials in Washington, employed their own special agents to review, if not traverse, previous positive testimony; and (3) efforts of the Democratic majority on the Congressional Committee to minimize the direct evidence and show that no real winds execute message ever existed; while the Republican minority limited itself to stating a few undoubted facts in the case, without denying or affirming the existence of the real execute message. In the course of any comprehensive survey of the evidence and documents, a student encounters witnesses who stuck to one story through all the inquiries; witnesses who told one story early and changed their stories after the controversy became crucial; witnesses who once remembered well and could not remember so well in 1945 or 1946; evidences of records that had strangely disappeared; charges that the special agents of Secretary Stimson and Secretary Forrestal induced witnesses to change their previous testimony and had even prepared affidavits for them to sign; evidence of a luncheon at Admiral Stark's home in September, 1945, at which at least one witness, who changed his testimony, "refreshed" his memory (CJC, Part 9, pp. 4063 f.); and more evidence indicating that pressures had been put on witnesses. See digest in the majority's Report, pp. 469-486; and CJC, Part 18, Exhibits 142, 142-A, 142-B, 142-C, 142-D, 150, and 151, for documents.

President's approval, as a kind of official representative. Thereupon President Roosevelt dictated a letter to Mr. Willkie in which he said that an armed clash with Japan might come perhaps in the next four or five days. The President's words were: "There is always the Japanese to consider. The situation is definitely serious and there might be an armed clash at any moment if the Japanese continued their forward progress against the Philippines, Dutch East Indies or Malaya or Burma. Perhaps the next four or five days will decide the matters."³⁶

December 5, 1941. The Japanese Ambassadors called on Secretary Hull and replied to the President's recent inquiry about Japanese troop movements in Indo-China, saying that they were "precautionary" in nature. When Secretary Hull expressed doubts on that point, Ambassador Nomura answered that Japan was alarmed over the increasing military preparations of the "ABCD" Powers in the Southwest Pacific. This was an intimation on the part of Mr. Nomura that both sides were maneuvering with a view to a coming clash in that area.³⁷

December 5 (Washington time). On February 18, 1946, Admiral Hart, who had been in command of the Asiatic Fleet in December, 1941, testified before the Congressional Committee that he had received a dispatch from Captain John M. Creighton, American Naval Observer then stationed at Singapore under the direct orders of the Navy Department, stating that British Air Marshal Brooke-Popham had been advised from London that in certain eventualities the British had been assured of American support. At the moment Admiral Hart could not recall the details of the case.³⁸

At a subsequent hearing of the Congressional Committee a copy of the dispatch received by Admiral Hart was placed in the record. The dispatch of December 5 (December 6, Singapore time) read:

Brooke-Popham received Saturday from War Department London Quote "We have now received assurance of American armed

36. *Ibid.*, Part 17, Exhibit 111, p. 422.

37. CJC, *Report*, p. 422.

38. CJC, Part 10, p. 4803.

support in cases as follows: Affirm we are obliged execute our plans to forestall Japs landing Isthmus of Kra or take action in reply to Nips invasion any other part of Siam XX Baker if Dutch East Indies are attacked and we go to their defense XX Cast if Japs attack us the British XX Therefore without reference to London put plan in action if first you have good info Jap expedition advancing with the apparent intention of landing in Kra second if the Nips violate any part of Thailand Para if NEI are attacked put into operation plans agreed upon between British and Dutch" Unquote.³⁹

This dispatch has a crucial bearing on a fundamental question: What military commitments to Great Britain, if any, did President Roosevelt make before December 7, 1941? Recognizing it as such, stout defenders of President Roosevelt's conduct of foreign affairs have attacked it as unfounded, as based on "hearsay" and "rumor," employing in this contention words used by Captain Creighton, from whose office at Singapore, the dispatch was sent to Admiral Hart. But, since these words were used by Captain Creighton in the course of a colloquy, before the Congressional Committee, covering nine pages (CJC, Part 10, pp. 5080-5089), it is necessary, if the truth of the matter be a consideration, to keep them in the context of the Captain's full testimony.

Captain Creighton testified at first that when he heard in 1946 that Admiral Hart had mentioned the dispatch to the Congressional Committee, he could not remember to what Admiral Hart was referring; that he could recall nothing about it; that when he had secured a copy from Admiral Hart's file he had no memory of ever having seen it before; that he hadn't the faintest idea to whom Brooke-Popham had given the information contained in the dispatch or who had repeated Brooke-Popham's report to him (Creighton). Yet later in the examination, Captain Creighton, although he had testified again and again that he could remember nothing about the dispatch, called the information in it "a matter of hearsay." When Chairman Barkley suggested to him that it was "really

39. *Ibid.*, pp. 5082 f.

nothing more than rumor," Captain Creighton quickly responded, "That is right."

Respect for the elementary principles in the law of evidence calls for a question: How could Captain Creighton remember that the information in the dispatch was nothing more than hearsay and/or rumor just a few minutes after he had testified that he could remember nothing whatever about the dispatch and that he did not remember who sent it, on what information it was based, where the information came from, the nature of the information, or whether Brooke-Popham had ever said what was ascribed to him in the dispatch? Given Captain Creighton's total loss of memory with regard to the dispatch in 1946, only one rational conclusion is admissible, namely, that his testimony about the dispatch as hearsay and/or rumor is worthless, that the dispatch is to be taken as it stands for whatever it is worth, and that the authenticity of the information contained in it is to be tested by a huge array of collateral evidence and undoubted facts which have a bearing on it. Although numerous passages in previous chapters and in the preceding and following pages of this chapter are related to this matter of authenticity, a few of the immediately pertinent facts are summarized here as follows:

1. Admiral Hart undoubtedly testified in 1946 that he had received the dispatch in question, although at the moment he could not remember some of the conditions set forth in it (CJC, Part 10, pp. 4802 f.).
2. Later Admiral Hart got possession of a copy of the dispatch and had it in a file (*ibid.*, p. 5081).
3. Subsequently, with Admiral Hart's authorization, Captain Creighton took this copy from Admiral Hart's file and presented it to the Congressional Committee during the course of his testimony in 1946 (*ibid.*, pp. 5080 ff.).
4. Captain Creighton explained to the Committee how busy he had been at Singapore in December, 1941, and said that he could not remember the dispatch or recall the source of the information on which it was based. But he did not deny that the message was sent from his office to Admiral Hart. In fact,

he declared that he had "such a trust in the fidelity of the Navy communications system" that he accepted (identified) the dispatch as a genuine telegram. Captain Creighton also explained to the committee that General Francis G. Brink, not he, "was between us the person to consult Brooke-Popham," and stated that when he left Singapore all the American records in his office, except a small folder, had been burned (*ibid.*, p. 5085).

5. In response to a cabled inquiry from the Congressional Committee, General Brink stated in 1946: "At 3:36 P.M. on 6 December 1941, Singapore time, Capt. John Creighton sent the following message in code to Admiral Hart at Manila:

On Saturday [Friday, December 5, Washington time] Brooke-Popham received from War Department London:

American armed support has now been assured us [the British] in following cases:

a. We have to execute our plans to prevent landing Isthmus of Kra by Japs or counteract Jap invasion elsewhere in Siam.

b. Attack is made on Dutch Indies and we proceed to their defense.

c. Japs attack US the British. Accordingly, put plan into action without reference to London if you have good information that Jap expedition is advancing apparently with intention of landing in Kra, or if any part of Thailand is violated by the Japs.

Should NEI be attacked, put the plans agreed upon between Dutch and British into operation."⁴⁰

General Brink, replying to other inquiries, said that he had not discussed the matter with Brooke-Popham and had no personal knowledge respecting the source of the information contained in the dispatch.

6. Air Chief Marshal Sir Robert Brooke-Popham was no obscure or transitory British officer in the Far East. He was a British commander in chief in the Far East and British representative at the Singapore staff conference. Captain Creighton testified (p. 5086) that Brooke-Popham was "the most important military figure in Malaya" and that "it was my housemate's [Colonel Brink's] duty to know him well."

40. CJC, Part 11, pp. 5514 ff. General Brink held the title of colonel in 1941.

7. About the time Admiral Hart received the dispatch from Singapore, he was in conference with the new British Commander in Chief, Admiral Tom Phillips. (CJC, Part 10, p. 4803). At this conference, December 5 (Washington time), Admiral Hart and Admiral Phillips drew up a program for American-British naval coöperation in that area, in case of war. This program, signed by Admiral Hart and Admiral Phillips, was sent to Admiral Stark, Chief of Naval Operations. It arrived in Washington about 11 P.M., December 6. A reply was prepared in the Navy Department in the forenoon of December 7, approving parts of the program provisionally, as in case of all such war plans (see above, Chap. XIV), but the reply was not sent out to Admiral Hart until after the Japanese attack (CJC, Part 4, pp. 1933 ff.).

8. After receiving the message from Singapore, December 6, 1941, Admiral Hart sent to Admiral Stark in Washington the following dispatch: "Learn from Singapore we have assured Britain armed support under three or four eventualities X Have received no corresponding instructions from you" (CJC, Part 14, Exhibit 40, p. 1412).

Given these facts, it is questionable whether a responsible Army or Navy officer of the United States in Singapore would have sent this alarming dispatch to Admiral Hart on December 6, 1941 (Singapore time) on the basis of a mere rumor, without any definite information on which to found it. It is scarcely credible that such a definite commitment on the part of the United States was passed around in British Army or Navy circles in the Far East without any authorization whatever from London. But whether or not the commitment was made by President Roosevelt must await confirmation from the President's secret papers not now (1947) available and/or from British archives still under seal. But it is pertinent to note that the eventualities mentioned in the Singapore dispatch were essentially the eventualities on which President Roosevelt's War Cabinet agreed that "we must fight."⁴¹

On the evening of that day, December 5, the State Depart-

41. See above, pp. 447 ff., and below, pp. 553 ff.

ment sent a telegram to the American Embassy in Tokyo (for use there and distribution to American representatives at certain other points in the Far East) which dealt with the destruction of American codes, papers, and other documents and the making of other preparations "in the event of sudden emergency."⁴²

That same day, December 5, the British Ambassador, Lord Halifax, called on Secretary Hull with a message from Anthony Eden, head of the British Foreign Office, setting forth the British view that "the time had come for immediate co-operation with the Dutch East Indies by mutual understanding." This message was related to the joint action against Japan in a given contingency, to which the United States was tentatively committed by the war plans that had been unofficially approved by the President.⁴³ Respecting his reply to this notification by Lord Halifax, Mr. Hull recorded laconically: "I expressed my appreciation."⁴⁴

This notification to Secretary Hull about the time for co-operation with the Dutch East Indies was merely one incident in a long chain of events—the development of secret war plans for the coöperation of the United States, Great Britain, and the Dutch—in January–April, 1941 (see above, Chap. XIV). On November 30, 1941, Lord Halifax had asked Secretary Hull point blank: "What the United States Government would do if the British should resist any Japanese undertaking to establish a base on the Kra Isthmus?" Mr. Hull replied that he would lay "all phases of the situation" before the President on his return from Warm Springs. After the President returned to Washington on December 1, he said that he would notify and see Lord Halifax.⁴⁵ Concerning the conference between the President and Lord Halifax on American co-operation in case the British resisted the Japanese in that case and the President's commitment, if any, the records unearthed

42. CJC, *Report*, p. 423.

43. See above, Chap. XIV.

44. CJC, Part 11, p. 5472.

45. CJC, Part 14, Exhibit 21, pp. 1249 f.

or at least published by the Congressional Committee on Pearl Harbor offer no conclusions.

Whether President Roosevelt made any military commitment whatever in this instance must be for the present a matter of conjecture. If conjectures one way or the other are to be indulged in, however, the following facts come into consideration.

The first is that the President's immediate military and naval subordinates who testified before the Congressional Committee agreed that the ABD military plans were tentative and conditional and that they had been warned against committing any overt acts of war in the Pacific area, thus distinguishing that region from the Atlantic where an undeclared "shooting war" had long been in progress. Admiral Stark repeatedly testified that he knew nothing about any obligations on the part of the President to join the British and the Dutch in war if Japan attacked them or violated the terms laid down in any ultimative notes sent from Washington to Tokyo.

The second fact is that the record of President Roosevelt's personal communications with foreign governments and their representatives as presented to the Congressional Committee is far from complete. This issue came up in the committee near the close of its hearings. Senator Brewster remarked that all Mr. Grew's *Diary* and all Mr. Stimson's *Diary* had not been made available to the committee and counsel for examination but his motions to have them made available were voted down by the committee. Senator Brewster also said:

The telephone communications between London and Washington during the period before Pearl Harbor is something which we have not been able, apparently, to run down. Miss Tully advises she had no record. It seems to me incredible that communications of that importance between the heads of state were not made a matter of record. If they were not made a matter of record it seems to me that there was serious dereliction. If they were made a matter of record I believe that this committee should have knowledge regarding them. I think that covers some of the items. There are many other unexplored fields in the higher echelons

which it seems to me most unfortunate that the committee has not been able to explore and expose.

Senator Barkley replied in general that the committee had made as exhaustive and careful an investigation as any committee had ever made in a similar case. Then he added:

So far as these records of telephone conversations are concerned, I think this committee, and counsel, have felt, and the President of the United States [Mr. Truman], who issued orders with reference to the examination of documents in the State, War, and Navy Departments, and other departments, and in the White House, realized that Miss Tully, who had been in charge of those documents, was a reputable, responsible woman of long experience and high character, I think the committee felt that she had brought to the attention of counsel everything in the President's papers that had any relationship to this investigation.⁴⁶

December 6, 1941, late in the afternoon, President Roosevelt made another complicated move in relation to affairs in the Pacific. At some previous time, Prime Minister Churchill had proposed to the Governments of the British Dominions that they unite with Great Britain in warning the Japanese Government "in the most solemn manner that if Japan attempts to establish her influence in Thailand by force or threat of force she will do so at her own peril and His Majesty's Governments will at once take all appropriate measures. Should hostilities unfortunately result the responsibility will rest with Japan." This warning was to be in the nature of a clear notification to Japan that in the contingency stated Great Britain and the Dominions would resist force or a threat of force by employing force. In effect the declaration was to be

46. CJC, Part 11, pp. 5538 f. The committee members, even accompanied by counsel, at least the Republican members, were not permitted to examine the messages exchanged by President Roosevelt and Mr. Churchill between September, 1939, and December 7, 1941 (see above, Chap. X). With regard to telephone communications between Washington and London, Senator Barkley did not indicate whether, to his knowledge, they had been recorded or not. In the case of an oral commitment by President Roosevelt to the Australian Minister in Washington, Miss Tully said "of course, no record was ever made" of it. See below, p. 548 n.

an ultimatum from the British Empire backed by a definite threat of war action.

A copy of this proposal to the Dominion Governments was sent by Prime Minister Churchill to President Roosevelt accompanied by a note inviting the President's comments. Just when the copy of the proposal and the Prime Minister's note came into the hands of the President is uncertain;⁴⁷ but two things are certain. First, the Australian Government made its acceptance of the Prime Minister's proposal "subject to the condition that President gives prior approval to text of warning as drafted and also gives signal for actual delivery of warning." Second, in the afternoon of December 6, Mr. Casey, the Australian Minister in Washington, discussed this subject with President Roosevelt and received from him a commitment as to the procedure to be followed in connection with carrying out the proposal.

The evidence relative to the transaction, which was brought out by the Congressional Committee on Pearl Harbor in the spring of 1946, did not come from the files of the State Department, but from President Roosevelt's personal papers⁴⁸ and from records of the Australian Government with the consent of the British Government. The facts are as follows: "Late in the afternoon of December 6," President Roosevelt informed the Australian Minister that he was prepared to follow a given procedure in conjunction with the delivery of the British warning to Japan. That information, accompanied by a description of the procedure, "was dispatched from Washington at 9:30 P.M. on December 6, 1941"; and that evening the Australian Government sent a dispatch from Canberra to the Secretary of State for Dominion Affairs in London informing the Secretary that, in respect of the British proposal for an ultimative warning to Japan, a message just received from the Australian Minister at Washington had described the

47. See below, p. 546.

48. See above, p. 544 n. Miss Grace Tully, who had charge of the papers, regarded these documents as pertinent to the committee's inquiry and so supplied them to the committee.

steps which President Roosevelt would take in supporting the program.

The procedure described by the Australian Minister at Washington in his message of 9:30 P.M. December 6 to the Australian Government was as follows:

1. President has decided to send message to the [Japanese] Emperor.
2. President's subsequent procedure is that if no answer is received by him from the Emperor by Monday evening [December 8, 1941].
 - (a) he will issue his warning on Tuesday afternoon or evening [December 9, 1941].
 - (b) warning or equivalent by British or others will not follow until Wednesday morning, i.e., after his own warning has been delivered repeatedly in Tokyo and Washington.

Only one link in evidence respecting this action by the President remained obscure after Senator Ferguson and Senator Brewster, by persistence, had developed the subject in the proceedings of the Congressional Committee in April, 1946, namely, the exact time when the actual text of Prime Minister Churchill's proposal and an accompanying note were placed in President Roosevelt's hands. These documents, as taken from the President's personal file, were two in number. The first was the note from the Prime Minister asking for the President's comments on the proposal; the second consisted of the text of the proposal. The first sheet, containing Mr. Churchill's request for comments, was a small paper from the British Embassy in Washington which bore at the bottom the date of December 7, 1941. To this sheet was attached two sheets which gave the full text of the Prime Minister's proposal for an ultimative warning to Japan.

During a hearing of the Congressional Committee, Senator Barkley laid emphasis on the date December 7, 1941, at the bottom of the small sheet from the British Embassy and contended: "That was all thrown out the window by what happened at noon Sunday, which must have been not very long

after this thing was delivered to the President, because it was delivered to him on the morning of the 7th." But, if as contended, the President did not receive the text of the Prime Minister's proposed warning to Japan until December 7, at least he was informed in the afternoon of December 6, 1941, about the substance of the proposal.

The grounds for this statement are four in number: (1) the Australian Government had made its acceptance of the British proposal "subject to conditions that President gives prior approval to text of warning as drafted and also gives signal for actual delivery of warning"; (2) the Australian Minister at Washington conferred with the President on the subject in the afternoon of December 6; (3) by a dispatch to his Government in Australia, sent at 9:30 P.M. December 6, the Australian Minister informed his Government in respect of the President's commitment to procedure in the matter as described above; and (4) that evening the Australian Government informed the British Government in London about the President's agreement to procedure in the matter.⁴⁹

In any case the facts of the commitment are well established: ⁵⁰ President Roosevelt agreed, in the afternoon of December 6, 1941, at a conference with the Australian Minister, to send a message to the Japanese Emperor. Furthermore, at the same time he agreed to cooperate with Great Britain and the Dominions in the project for giving Japan an ultimative notification and, if he had received from the Emperor no answer by Monday evening, December 8, to issue his warning on Tuesday afternoon or evening. These agreements were predicated on the understanding that British and other warnings would not be sent until Wednesday morning, December 10—"after his own warning had been delivered repeatedly in Tokyo and Washington."⁵¹

49. It is to be noted that December 6, 1941, Washington time, was December 7, 1941, Canberra time, for some confusion has arisen as to the date of the completion of the transaction.

50. The documents and other evidence relative to this commitment of December 6, 1941, are in CJC, Part 11, pp. 5164 ff.

51. In a letter dated Washington, April 17, 1946, Miss Grace Tully, who had

What relation, if any, did the President's appeal to the Japanese Emperor on Saturday night, December 6, have to his oral commitment made in the late afternoon that day to the Australian Minister in Washington? The Australian Minister merely stated to his government that "President has decided to send message to Emperor," as a part of the general procedure in connection with the ultimative warning to Japan. Was the President's message framed to meet that commitment or was it an independent action? The answer must be conjectural, not positive, for such a letter had been discussed many days prior to December 6 by the President, Secretary Hull, Secretary Stimson, and Secretary Knox.

Sometime on December 6, the Navy Department made available to high officials in Washington a notice that the Japanese Embassy in Washington had destroyed its codes.⁵²

About 3 P.M. on December 6, Army Intelligence delivered at the office of the Secretary of State a translation of an intercepted secret message from the Japanese Foreign Minister to Ambassador Nomura, which stated that the Japanese reply to Secretary Hull's memorandum of November 26 would be sent shortly in fourteen parts and that a later dispatch would inform the Ambassador as to the time the reply was to be handed to Secretary Hull.⁵³ This was the Japanese message which, Secretary Hull knew from a previous intercept, would mark the de facto rupture of negotiations with the United States.⁵⁴

About 9 P.M. on December 6, the State Department dispatched to Tokyo President Roosevelt's appeal to the Japanese Emperor for aid in restoring traditional amity between the United States and Japan and in preventing further death

charge of the papers in President Roosevelt's files, responded to a request from the Congressional Committee for additional information by saying that she could find no other papers relative to the subject in the files and adding: "My feeling about the message from the Australian Minister at Washington, Mr. Casey, is that he and the late President discussed the subject but, of course, no record was ever made of such conversation." *Ibid.*, p. 5510.

52. CJC, Part 12, pp. 236 ff.

53. CJC, *Report*, p. 433.

54. See above, p. 528.

and destruction in the world. In a brief note to Secretary Hull on the appeal, the President said: "Dear Cordell: Shoot this to Grew—I think can go in grey code—saves time—I don't mind if it gets picked up." Secretary Grew testified before the Congressional Committee on Pearl Harbor in 1945 that he first learned of the President's message that evening while listening to a radio broadcast from San Francisco.⁵⁵ Hence, it appears, this message to the Emperor was, indeed, quickly "picked up" and broadcast to the world.

Shortly after 9.30 P.M., December 6, 1941, Commander Schulz, assistant to Admiral Beardall, Naval Aide to the President, delivered to President Roosevelt in his study at the White House the first thirteen parts of the Japanese message in reply to Secretary Hull's memorandum of November 26, notice of which had been received earlier in the day. Commander Schulz testified before the Congressional Committee on Pearl Harbor in 1946 that Harry Hopkins was present on that occasion and that the President read the documents and handed them to Harry Hopkins, "who was pacing back and forth slowly."

The following passages from the testimony⁵⁶ of Commander Schulz before the Congressional Committee describe the conversation that ensued:

COMMANDER SCHULZ. Mr. Hopkins then read the papers and handed them back to the President. The President then turned toward Mr. Hopkins and said in substance—I am not sure of the exact words, but in substance—"This means war." Mr. Hopkins agreed, and they discussed then, for perhaps 5 minutes, the situation of the Japanese forces; that is, their deployment and—

MR. RICHARDSON. Can you recall what either of them said?

COMMANDER SCHULZ. In substance I can. There are only a few words that I can definitely say I am sure of, but the substance of it was that—I believe Mr. Hopkins mentioned it first—that since war was imminent, that the Japanese intended to strike when they were ready, at a moment when all was most opportune for them—

55. CJC, *Report*, pp. 426-428.

56. *Ibid.*, pp. 434 ff.

THE CHAIRMAN. When all was what?

COMMANDER SCHULZ. When all was most opportune for them. That is, when their forces were most properly deployed for their advantage. Indochina in particular was mentioned, because the Japanese forces had already landed there and there were implications of where they should move next.

The President mentioned a message that he had sent to the Japanese Emperor concerning the presence of Japanese troops in Indochina, in effect requesting their withdrawal.

Mr. Hopkins then expressed a view that since war was undoubtedly going to come at the convenience of the Japanese, it was too bad that we could not strike the first blow and prevent any sort of surprise. The President nodded and then said, in effect, "No, we can't do that. We are a democracy and a peaceful people." Then he raised his voice, and this much I remember definitely. He said, "But we have a good record."

The impression that I got was that we would have to stand on that record, we could not make the first overt move. We would have to wait until it came.

During this discussion there was no mention of Pearl Harbor. The only geographic name I recall was Indochina. The time at which war might begin was not discussed, but from the manner of the discussion there was no indication that tomorrow was necessarily the day. I carried that impression away because it contributed to my personal surprise when the news did come.

MR. RICHARDSON. Was there anything said, Commander, with reference to the subject of notice or notification as a result of the papers that were being read?

COMMANDER SCHULZ. There was no mention made of sending any further warning or alert. However, having concluded this discussion about the war going to begin at the Japanese convenience, then the President said that he believed he would talk to Admiral Stark. He started to get Admiral Stark on the telephone. It was then determined—I do not recall exactly, but I believe the White House operator told the President that Admiral Stark could be reached at the National Theater.

MR. RICHARDSON. Now, was it from what was said there that you draw the conclusion that that was what the White House operator reported?

COMMANDER SCHULZ. Yes, sir. I did not hear what the operator

said, but the National Theater was mentioned in my presence, and the President went on to state, in substance, that he would reach the Admiral later, that he did not want to cause public alarm by having the Admiral paged or otherwise when in the theater, where, I believe, the fact that he had a box reserved was mentioned and that if he had left suddenly he would surely have been seen because of the position which he held and undue alarm might be caused, and the President did not wish that to happen because he could get him within perhaps another half an hour in any case.

MR. RICHARDSON. Was there anything said about telephoning anybody else except Stark?

COMMANDER SCHULZ. No, sir; there was not.

After receiving the intercept of the Japanese message which he thought meant war between the United States and Japan and having called Admiral Stark by telephone later in the evening,⁵⁷ President Roosevelt took no further action in respect of warning the outpost commanders about the immediate imminence of war. Such at least is the only inference that is permissible in view of all the evidence on the point brought to light by the Congressional Committee on Pearl Harbor.

December 7, 1941. In the morning Secretaries Hull, Stimson, and Knox held a conference at the State Department on various matters, including what was to be done about the movements of Japanese forces southward into the zone where war was expected to break out at any moment. Before their conference closed they had available all the fourteen parts of the intercepted Japanese message which was to be delivered soon to Secretary Hull and also the final dispatch saying that the message was to be handed to Secretary Hull at one o'clock that day.⁵⁸

Meanwhile, about 10 A.M., the fourteenth part of the Japanese reply to Secretary Hull's memorandum was delivered by Admiral Beardall to President Roosevelt in his bedroom at the White House.⁵⁹

57. CJC, Part 11, pp. 5543 ff., for final testimony of Admiral Stark.

58. CJC, *Report*, p. 437.

59. *Ibid.*, p. 436.

Sometime before noon on December 7, General Marshall had at hand the latest intercepts of Japanese secret messages, including the notice to Ambassador Nomura that one o'clock was fixed as the hour for his appearance at the State Department with the last Japanese memorandum. General Marshall decided that the outpost commanders must have a new war warning. After strange delays on his own part and that of his immediate associates, General Marshall sent, about noon, the final war warning to General Short at Hawaii—the message which arrived *after* the Japanese attack on Pearl Harbor.⁶⁰

At 1.50 P.M., December 7, the Navy Department received a dispatch from Admiral Kimmel that there had been an air raid on Pearl Harbor.⁶¹

The President quickly informed Secretary Hull at the State Department about the report that Hawaii had been attacked. Hence the Secretary apparently had news of the attack, as well as a copy of the message soon to be delivered by the Japanese, before 2.05 P.M. when the Japanese Ambassadors arrived at his office. After he had received the Japanese Ambassadors, read their memorandum, and told them what he thought of the document in forcible language, Secretary Hull issued a public statement to the effect that the Japanese had been preparing their "treacherous" attack "at the very moment" when Japan was discussing peace with the United States and the other nations now assailed by Japanese arms. "It is now apparent to the whole world," he said, "that Japan in its recent professions of a desire for peace has been infamously false and fraudulent."⁶²

About 2 P.M. Sunday, December 7, 1941, President Roosevelt telephoned Secretary Stimson: "They have attacked Hawaii. They are now bombing Hawaii." Secretary Stimson noted in his *Diary* for the day: "Well, that was an excitement indeed." He wrote a few lines about the conference which he

60. For negligence and bungling with regard to this warning sent too late, see CJC, Part 39, pp. 93 ff.; and above, Chap. XII, pp. 366 ff.

61. CJC, *Report*, p. 439.

62. *Ibid.*, pp. 440 f. All hours given above are Washington time (E.S.T.) on December 7.

had held with Secretary Hull and Secretary Knox that morning and added: "Our efforts this morning in drawing our papers [on the policy to be pursued by the United States] was to see whether or not we should all act together. The British will have to fight if they [the Japanese] attack the Kra Peninsula. We three all thought that we must fight if the British fought. But now the Japs have solved the whole thing by attacking us directly in Hawaii." Mr. Stimson also made the following entry in his *Diary* for December 7: "When the news first came that Japan had attacked us, my first feeling was of relief that the indecision was over and that a crisis had come in a way which would unite all our people. This continued to be my dominant feeling in spite of the news of catastrophes which quickly developed. For I feel that this country united has practically nothing to fear; while the apathy and divisions stirred up by unpatriotic men have been hitherto very discouraging."

Like Secretary Stimson, after the news of the Japanese attack on Pearl Harbor came, President Roosevelt, despite reports of the disaster that befell American forces, felt relieved that the indecision was over and that war had come. For this statement, his Secretary of Labor, Frances Perkins, provided evidence in 1946. She noted that, at the Cabinet meeting in the evening of December 7, 1941, the President, "in spite of the terrible blow to his pride, to his faith in the Navy and its ships, and to his confidence in the American intelligence service, and in spite of the horror that war had actually brought to us, . . . had, nevertheless, a much calmer air. His terrible moral problem had been resolved by the event. As we went out Frank Walker [the Postmaster General] said to me: 'I think the Boss really feels more relief than he has had for weeks.'"⁶³

December 7, 1941, evening. Meeting of the Cabinet at 8.30 and of legislative leaders at 9 in the White House. On this occasion, President Roosevelt, besides making a report on the extent of the American disaster at Pearl Harbor, as far as frag-

63. *The Roosevelt I Knew* (Viking Press, 1946), pp. 379 f.

mentary news reports would permit, gave to members of the Cabinet and legislative leaders an exposition of recent events that foreshadowed his statement of the official thesis presented to Congress on the following day.⁶⁴ He said that conversations with Japan continued until

about two weeks ago, when we received indications from various sources—Europe and Asia—that the German government was pressing Japan for action under the tripartite pact. In other words, an effort to divert the American mind, and the British mind, from the European field, and divert American supplies from the European theatre to the defense of the East Asia theatre.

About two weeks ago [the President continued], we began to realize that the probability of Japan being in earnest was so slim that it was time to make a final and definite effort to pin them down on the one subject that they had never ever been pinned down on, and that was that they were to agree to cease their acts of aggression, and that they would try to bring the China war to a close. The result was that the Secretary of State sent a message on that point, to find out whether Japan would be willing to discuss or consider that point of nonaggression.⁶⁵ That was the 26th of November. From that time on we were getting more and more definite information that Japan was headed for war, and that the reply to the Secretary of State would be in the negative. . . .

And so the thing went along until we believed that under the pressure from Berlin the Japanese were about to do something. . . . And so yesterday I sent a final message to the Emperor. . . .

Of course, it is a terrible disappointment to be President in time of war, and the circumstances [words inaudible] came most unexpectedly. Well, we were attacked. There is no question about that. . . .

The fact is that a shooting war is going on today in the Pacific. We are in it.⁶⁶

Mrs. Charles Hamlin, for many years a close friend of President Roosevelt, was a guest at the White House in November and December, 1941, and made notes respecting his attitudes

64. See above, pp. 209 ff.

65. See below, pp. 555 ff., for the memorandum of November 26.

66. CJC, Part 19, Exhibit 160, pp. 3503 ff. The stenographer notes that at several points the President's remarks were inaudible and so indicates.

and remarks on days following Pearl Harbor—from which the following extracts are taken.⁶⁷

December 9. The President, the night of his broadcast to the nation on the coming of war,⁶⁸ “looked relieved, as if a load was off his mind at last, now that fate and the Japanese attack had finally settled everything that had been brewing for so long.”

December 10, evening. “The President quipped that ‘Hungary, Rumania, and Czechoslovakia have all declared war on us—I told Cordell to take no notice of them and I will not inform the Congress.’ His cigarette was tipped at its usual jaunty angle.”

December 22. Dinner attended by Lord Halifax and Winston Churchill. The President shook cocktails “with Mr. Churchill standing beside him.” Shortly before the dinner ended, the President said: “I have a toast to offer—it has been in my head and on my heart for a long time—now it is on the tip of my tongue—‘To the common cause.’”

December 23. Mr. Bernard Baruch was present. “He had brought with him a bottle of special brandy, which the President served at the end of dinner.” Mr. Churchill and President Roosevelt made short stirring speeches and the President “appointed the first day of 1942 as a day of prayer, a day of consecration to the tasks of the present. . . . The band played ‘God Save the King’ and then ‘The Star Spangled Banner.’ . . . Every night we drink to the health of the United States and Great Britain and then to the common cause.”

THE GREAT DECISION

It is evident from the records presented to the public by the Congressional Committee on Pearl Harbor that, as Secretary Hull had repeatedly insisted, the Roosevelt Administration

67. *The New Republic*, April 15, 1945 (Supplement, “Roosevelt: A First Appraisal by Those Who Knew Him”).

68. For the President’s radio address on December 9, see above, Chap. VIII, p. 210.

had conducted affairs in relation to Japan according to a strong policy, at least from the Atlantic Conference to December 7, 1941—a policy of no compromise with the Japanese Government.

But the policy was broader in demands in November than on August 17. The declaration to Japan, August 17, was the outcome of President Roosevelt's agreement at the Atlantic Conference, after he had heard Prime Minister Churchill's appeal for aid in the Far East. In keeping with that agreement, the declaration was narrowly limited in scope. With a clear threat of counteraction, it warned Japan against taking "*any further steps* in pursuance of a policy or program of military domination by force or threat of force of neighboring countries."⁶⁹ It did not order Japan to withdraw entirely from China or Indo-China, to observe the territorial and administrative integrity of China, to practice equality of commercial opportunity in China, to abandon her support of the puppet government in Nanking, or to give up her extraterritorial rights in China.

In short, the American declaration on August 17, 1941, simply demanded that the Japanese Government take no further steps of aggression in the Far East. It did not seek to impose on Japan the whole system of world morality and economic practices set forth as American "principles" by Secretary Hull. In its terms was a narrow basis for negotiations which high officials in Tokyo could carry on without "losing face" or incurring the risk of overthrow or assassination.

In form at least, the Japanese proposal for a *modus vivendi* on November 20, 1941, offered as a ground for negotiations the possibility of halting "any further steps" of aggression in the Southeast area of Asia. President Roosevelt at first thought that the proposal did offer this possibility for he definitely recognized it in the outline memorandum for adjustments with Japan which he wrote out by hand and sent to Secretary Hull.⁷⁰ Officers of the Far Eastern Division in the Department of State arrived at the conclusion that a *modus vivendi*

69. See above, p. 488. (Italics supplied.)

70. See above, p. 511.

was desirable and prepared a draft of an American proposal for consideration by Secretary Hull.⁷¹ Henry Morgenthau, Jr., Secretary of the Treasury, was evidently convinced that the occasion presented an opportunity for avoiding a two-front war and prepared a plan for concessions to Japan, which was approved by the senior officers of the Far Eastern Division in the State Department and recommended for careful consideration to Secretary Hull by the Chief of the Division.⁷²

But the suggestions of President Roosevelt, the Far Eastern Division, and Secretary Morgenthau were rejected by Secretary Hull in favor of the line of action proposed in his memorandum of November 26, which, with the approval of President Roosevelt and without previous consultation with Secretary Stimson, the British Ambassador in Washington, and other high parties to the negotiations, was handed to the Japanese Ambassadors on that day. This action was taken with clear awareness of its significance; for Secretary Hull, the very next day when he told Secretary Stimson that he had "washed his hands" of the matter, added: "it is now in the hands of you and Knox—the Army and the Navy."⁷³

It is true that Secretary Hull, in 1946, in response to Senator Ferguson's questions, sought to explain these words away,⁷⁴ and insisted that, in his opinion, there had always been a bare chance that the Japanese would not treat the memorandum as an ultimatum and might come back for more conversations. It is true also that he refused all along to acknowledge that he had looked upon the action of November 26 as putting an end to diplomatic processes and bound to result in war. Yet his own statements relative to this crucial decision on November 26, made with the approval of the President, indicate beyond all doubt that his hope for any further negotiations looking toward peace in the Pacific was so slight as to be negligible, if indeed he had any such hope at all.⁷⁵

In any event, whatever may have been the expectations of

71. See documents in CJC, Part 14, Exhibit 18.

72. See above, p. 512.

73. See above, p. 516.

74. See below, p. 563.

75. See below, p. 561.

President Roosevelt and Secretary Hull on November 26, 1941, the document which was handed to the Japanese Ambassadors on that day was sweeping in its terms. It was, to be sure, partly in line with the narrow and simple declaration of August 17, in that it applied to any further steps by the Japanese toward British, Dutch, and American spheres of interest; but it was comprehensive enough in scope to satisfy all Americans who looked upon the Atlantic Charter as furnishing a blueprint for a new world order and also those American imperialists who wanted to employ war as an instrument of policy for enforcing the doctrine of the Open Door in the Far East.⁷⁶

The memorandum of November 26 was skillfully drawn. The first part—the “oral statement”—*suaviter in modo*, referred to conversations carried on in recent months for the purpose “if possible” of arriving at a settlement based upon “the principles of peace, law and order, and fair dealing among nations.” It rejected the Japanese proposal for a *modus vivendi* as not likely to contribute to the objectives of “ensuring peace under law, order and justice in the Pacific area.” Then the oral statement alluded to the accompanying plan as “one practical exemplification of a program which this Government envisages as something to be worked out during our further conversations.”

Here, in the oral statement, *ex vi termini*, was no ultimatum. It contained no hint that, on the previous day, November 25, the President, Secretary Hull, Secretary Stimson, Secretary Knox, General Marshall, and Admiral Stark had been discussing the problem of how to “maneuver” the Japanese into firing the first shot without allowing too much danger to ourselves.⁷⁷ Here was no intimation that Secretary Hull regarded the memorandum as warranting him in saying to Secretary

76. See above, Chap. IX for an analysis of the imperialist nature of the memorandum of November 26, 1941; for “the Stimson doctrine” and President Roosevelt’s acceptance of this “doctrine,” see Beard, *op. cit.*, pp. 33 ff. For text of the memorandum, see *Foreign Relations of the United States: Japan, 1931–1941*, II, 766 ff.

77. See above, p. 517.

Stimson the next day that the matter is now in the hands of the Army and the Navy.⁷⁸

The second part of the memorandum of November 26, though called "Outline of Proposed Basis for Agreement between the United States and Japan," laid down definite prescriptions for the Japanese. After proposing a joint declaration of liberal policies, it stipulated, among other things, that: "The Government of Japan will withdraw all military, naval, air and police forces from China and from Indo-China. The Government of the United States and the Government of Japan will not support—militarily, politically, economically—any government or regime in China other than the National Government of the Republic of China with capital temporarily at Chungking." This proposition, President Roosevelt and Secretary Hull must have known very well, meant a sudden reversal of policy and action in Tokyo, which the Japanese Government was not likely to make, which was indeed so highly improbable as to warrant no hope of continued negotiations looking toward the maintenance of peace in the Pacific, if that was what the President and Secretary Hull had contemplated at any time after August 17, 1941.

When, instead of reaffirming the declaration of August 17, 1941, President Roosevelt and Secretary Hull, on November 26, made this comprehensive and drastic proposal to the Government of Japan, did they believe that their action would lead to a break in negotiations, if not immediate war? If they made this crucial decision with reference to such consequences, why did they resort to ultimative action in the Pacific rather than in the Atlantic? These certainly are questions necessarily related to the real problem of "how war came."⁷⁹

78. See above, p. 516.

79. Davis and Lindley, in *How War Came*, speaking semiofficially, said in 1942: "The question perplexing many high officials was how, in the absence of a direct attack on the American flag, to summon the nation, divided as it then was on questions of foreign policy, to the strong action which they believed essential. There had been considerable discussion of possible methods. . . . It was commonly supposed that the Japanese were too smart to solve this problem for the President by a direct assault on the American flag—especially at Hawaii, which even the extreme isolationists recognized as a bastion of our security" (page 315).

Since President Roosevelt's personal records, papers, and memoranda were carefully safeguarded against scrutiny by members of the minority in the Congressional Committee and are not yet open to students of diplomatic history, answers to these questions must be sought elsewhere.⁸⁰ And chief among other sources are extended statements bearing on the subject by two of the President's most intimate associates in the inner circle of his War Cabinet—Secretary Hull and Secretary Stimson.

Although Secretary Hull's health did not permit him to undergo the strain of a direct cross examination by members of the Congressional Committee on Pearl Harbor, he did answer, in his own way, many of the questions directed to him in writing by Senator Ferguson, of the minority, in April, 1946, through the good offices of the majority. Likewise, Secretary Stimson, though prevented by poor health from appearing before the committee, wrote terse replies to numerous questions presented to him in writing by Senator Ferguson.

Well acquainted with the testimony and exhibits brought forth by the Congressional Committee, Senator Ferguson evidently regarded the decision of President Roosevelt and Secretary Hull to reject the Japanese proposal for a truce or

When Davis and Lindley wrote these words, they probably did not have access to the "Magic"—the secret Japanese messages intercepted, decoded, and translated by the American Army and Navy and distributed almost daily among the "high officials" to whom they referred. Nor did they have access, it is also probable, to many of the secret documents in American files which were opened to view by the Congressional Committee on Pearl Harbor in 1945 and 1946.

80. On September 19, 1946, the Director of the Roosevelt Library at Hyde Park, wrote me that "President Roosevelt's press conferences are not available for public inspection at this time." Through the courtesy of a large metropolitan newspaper, I was offered the privilege of examining its rather full stenographic reports of these press conferences, but I could not be allowed to make free use of the Mss. It is an anomaly that a group of journalists are permitted to take notes at the President's press conferences, held presumably for the benefit and information of the public, whereas students of American history are denied access to the official minutes which are supposed to give the authentic version of what was actually said. I was once permitted to read (but not to use) the minutes of Secretary Hull's utterances at a press conference which filled many pages of "flimsy," and compare it with a few paragraphs "on the record," which newspapers were permitted to print. I may say that I was deeply impressed by the vigor of Secretary Hull's language "off the record."

modus vivendi and to substitute the ultimative memorandum of November 26 as highly pertinent to the issue of how war came. At all events, the Senator sought to discover, by questioning Secretary Hull, whether the action was deliberately taken with full knowledge that war would be a consequence so probable as to constitute a practical certainty. In his replies ⁸¹ Secretary Hull made the following various statements on the subject:

We knew from Japanese acts and utterances that the Japanese proposal of November 20 was their last word and it was obviously desirable that the record of the American Government's position throughout the conversations be made crystal clear. Therefore, the proposals of November 26 were directed toward making our position utterly clear and toward keeping the door open for further conversations notwithstanding the ultimative character of the Japanese proposal of November 20.

Before and after presenting that proposal [of November 20], Ambassador Nomura and Mr. Kurusu talked emphatically about the urgency of the situation and intimated vigorously that this was Japan's last word and if an agreement along these lines was not quickly concluded ensuing developments might be most unfortunate.

The Japanese proposal of November 20 . . . was of so preposterous a character that no responsible American official could ever have dreamed of accepting it.⁸² Nevertheless, I felt that I should not be violent in my comment to the Japanese in regard to it so as to avoid giving them any pretext to walk out on the conversations. . . . Moreover, we wanted to show our interest in peace up to the last split second and at the same time to expose the bad faith of the Japanese.

From November 22 on it was my individual view that Japan was through with any serious conversations looking to a peaceful settlement. From that day I and my associates had reached a stage of clutching at straws in our effort to save the situation.

We had no serious thought that Japan would accept our pro-

81. CJC, Part 11, pp. 5367 ff.

82. Accepting it was one thing; using it as a basis for possible adjustment was another thing. President Roosevelt apparently did not regard it as so "preposterous" that it could not be so used. See above, p. 511.

posal of November 26. I said at the time that there was only the barest possibility of her accepting it. She would have proceeded to attack us whether we had presented that proposal or any other proposal—unless it had been one of humiliating and abject surrender. . . .

During this period all the information we received made clearer Japan's purpose to attack unless the United States yielded to them. In other words, Japan had no intention of yielding any part of her plan of conquest by force, but was giving the United States, by its proposal of November 20, a last opportunity to choose between yielding or fighting.

It is my understanding that the main object of the Japanese Government in pressing for a reply to their November 20 proposal was to ascertain beyond any doubt whether this Government would yield to the Japanese or whether this Government was going to stand firm, and if the Japanese had learned that we were standing firm they would continue forward with the attack. Our position of not yielding was as clear as crystal to the Japanese Ambassadors.⁸³

On November 29,⁸⁴ the Australian Minister called on me and brought up the question of his conferring with the Japanese representative, Mr. Kurusu, and suggesting to Kurusu that Australia would be glad to act as mediator. I offered no objection to his taking such a step, but merely stated my opinion to the Minister that the diplomatic stage was over and that nothing would come of such a move.

Referring to the intercepted message of the Japanese Government on November 28, which announced that negotiations would be de facto disrupted, Secretary Hull said: "This reaction was fully expected in the light of the delivery of the Japanese ultimatum on November 20 and of subsequent developments."

Although Secretary Hull more than once stated categorically that he regarded the American memorandum of Novem-

83. Evidently, then, Secretary Hull understood on November 26 when he presented his memorandum to the Japanese that they would "continue forward with the attack"—would reject his memorandum and attack the United States.

84. CJC, Part 11, p. 5374, gives the date as November 9, 1941, but the original manuscript record of the committee gives the date correctly as November 29.

ber 26 as marking the end of diplomatic relations with Japan, he also sometimes qualified the assertion by referring to a slim chance and a slight possibility that Japan would continue conversations looking toward peace. Apparently the Secretary did not see any contradictions between such statements as "the diplomatic stage was over" and other statements such as "keeping the discussions alive."

Aware of these contradictions in Mr. Hull's statements, Senator Ferguson tried to pin him down to a definite proposition one way or the other by asking him the following questions:

When did you decide that further negotiations were useless and that you were going to turn the matter over to the Army and Navy?

When did you advise either the Army or the Navy that you were turning the matter over to the Army or Navy or both?

What had happened that you told Secretary Stimson you were turning the matter over to the Army and Navy?

Had you conferred with the President on the matter of turning the matter over to the Army and Navy?

Give date and conversation with the President on this.

In his reply, Secretary Hull did not answer these questions squarely one by one. He declined to say when he had decided that further negotiations were useless, when he had turned the matter over to the Army and the Navy. He refused to state when or whether he had conferred with President Roosevelt on the matter of putting the issue of war into the hands of the Army and the Navy. Instead the Secretary dealt generally with the subject in a single reply to Questions 29-33 and 45-47, and gave an explanation which is among the striking curiosities of his intellectual history.

According to Secretary Hull's interpretation in 1946 his statement of November 27, 1941, that "the matter is now in the hands of the Army and the Navy" did not mean that. He said in reply to Senator Ferguson's questions that this

expression . . . as applied in the situation which then arose, does not imply any idea of a transfer from the Department of State to

the Departments of War and of the Navy of any part of the Department of State's functions or responsibilities. Nor do I think that there was any misunderstanding on the part of the President or of the Secretaries of War and of the Navy as to the sense in which this expression was used.⁸⁵ It seemed self-evident that the Army and the Navy would be our chief reliance in the light of the critical situation known to all of us. It was, of course, the understanding of each of us that the Department of State would continue to function and coordinate its action with that of the Army and Navy, but I emphasized that we could no longer be expected materially to control the situation.⁸⁶

Secretary Hull's resolve to break off "the whole matter" of the *modus vivendi*, wash his hands of the issue, and refer it to the Army and the Navy, as he originally described the transaction, had necessary pertinence to the coming of war in the Pacific on December 7, 1941. Of this there can scarcely be a doubt. Instead of a note diplomatically calculated to continue conversations looking to the maintenance of peace in the Pacific, the Secretary, with the approval of the President, delivered to Japan a memorandum which they both knew to be, if not an ultimatum, at least so ultimative in character as to offer a trifling chance, if any, of maintaining peace in the Pacific. In a few days war came, bringing disaster to American arms at Pearl Harbor.

Between November 7 and November 25 or 26, 1941, while President Roosevelt and Secretary Hull were coming to their great decision, many impinging circumstances invited their consideration. The President was confronted in those days by what his Secretary of Labor, Frances Perkins, called his "terrible moral problem"—and the dilemma arising out of his campaign pledges in 1940 and especially the declaration of the Democratic platform, which he had endorsed in the campaign, that American armed forces were not to be sent out of this

85. There evidently was a misunderstanding on the part of Secretary Knox, for in his war warning to Admiral Kimmel, on November 27, he declared that negotiations with Japan had terminated. And Secretary Stimson thought on November 27 the statement meant an end to diplomatic negotiations, until he called up Secretary Hull and received a modified version. See above, p. 525.

86. CJC, Part 11, p. 5382.

hemisphere to fight "except in case of attack." The moral problem had been accentuated rather than diminished in October and November, 1941.

The "shooting war" in the Atlantic had not culminated in a full-fledged and duly acknowledged war. Investigations of the *Greer* and *Kearny* cases of "shooting," conducted by the Senate Naval Affairs Committee, under the direction of Senator David Walsh, had so deteriorated the President's declaration of October 27—"America has been attacked"—that this very formula evoked suspicions among many members of the President's own party, while to most Republicans mention of it appeared to be an evidence of duplicity.⁸⁷ When, on November 7, the Japanese Ambassador opened the last phase of the negotiations between Japan and the United States, involving at length the *modus vivendi*, the long contest in Congress over modifications of the Neutrality Act was just coming to a close. During the discussions of the Neutrality Act in the House and the Senate, spokesmen of the Administration had represented it as a design to avoid rather than seek war,⁸⁸ and the vote cast in both chambers against the bill on final action was ominously large.⁸⁹ When President Roosevelt signed it on November 17, echoes of the angry debate were still ringing in the Capital. Secretary Hull must have remembered all that, for later he declared that had President Roosevelt sent a war message to Congress in the last tense days before Pearl Harbor, "the powerful isolationist groups in this country would probably have renewed their oft repeated charges of 'warmongering' and 'dragging the nation into foreign wars.'"⁹⁰

Thus, the prospects of a full-fledged war in the Atlantic or of a declaration of war in the Pacific by Congress were far from favorable when President Roosevelt and Secretary Hull decided to deliver the memorandum of November 26 to Japan. But, in view of the information which they had gained from

87. See above, Chap. V.

88. See above, Chap. VI.

89. See above, p. 159.

90. CJC, Part 11, p. 5375.

intercepts of messages and other sources, they had reason for believing that the memorandum would be rejected and that the consequent impasse would eventuate in war. Certainly they had little or no ground for expecting anything else.

Such was the conjuncture of circumstances, in which the President and the Secretary made the great decision which, as events demonstrated, transferred the conflict with Japan from the sphere of diplomacy to the sphere of war. Beyond question, according to the evidence produced by the Congressional Committee, the President and the Secretary, before, on, and after making the decision, were expecting if not actively seeking war; and having this expectation they continued to "maneuver" the Japanese and awaited the *dénouement*, without calling upon Congress for the authority to wage war.

Was it within the legal and moral competence of President Roosevelt in 1941 so to conduct foreign affairs as to maneuver a foreign country into firing the shot that brought on war—indeed, to make war on his own authority? This question was answered in the affirmative by his close associate in the negotiations and maneuvers that preceded Pearl Harbor—by Henry L. Stimson, his Secretary of War. Secretary Stimson's answer was given in a prepared statement sent to the Congressional Committee in the spring of 1946, in response to inquiries directed to him in writing by Senator Ferguson.

The Senator opened his questioning by referring to a previous statement of Secretary Stimson, that "our military advisers had given the President their formal advice that if Japan moved beyond certain lines we would have to fight for the sake of our own security." This reference was to the two memoranda to the President dated November 5 and November 27, 1941, and signed by Admiral Stark and General Marshall.⁹¹ The Senator then asked Secretary Stimson in Question 3: "Was that advice accepted and did it become our Government policy prior to the Pearl Harbor attack?" Secretary Stimson replied by declaring, in effect, that the President possessed plenary powers in matters of policy,

91. See above, pp. 447 ff.

strategy, and war and also full authority for the exercise of these powers by virtue of the Constitution and the Acts of Congress:

It has always been the fixed and permanent policy of the United States Government to defend itself and its possessions. The Congress itself reaffirmed and endorsed this policy on numerous occasions as the dangers to this country from the war which was starting across the world became more acute. It reaffirmed it when the regular size of our ordinary military appropriations were enormously increased by the Congress in May and June 1940, at the time of the fall of France, Belgium, and the Netherlands. It reaffirmed it in September 1940, when it passed the draft law, and by the joint resolution in August 1940, which authorized the total mobilization of the National Guard for large scale maneuvers or training. It reaffirmed it by its passage of the lend-lease legislation to assist in arming the nations who were fighting in the front line against aggression by the Axis and in opening our ports for the repairs of their warships. Each of these extraordinary congressional enactments indicated beyond peradventure a policy to prepare the United States against an immediate impending attack by the Axis nations.

It is the President of the United States who is charged with the execution of that policy, both as Chief Executive and as Commander in Chief of the armed forces. *It was his duty to make the decisions as to how this policy of defense should be best carried out. The adoption of plans for defense are ultimately for his decision and if the adoption of a particular strategy is to be termed policy at all, it is executive policy the decision of which is entirely a matter for the President.* In making this decision, the President receives the advice of numerous advisers, including his military advisers and the members of his Cabinet. Their views and recommendations, however, are purely advisory, *and the final policy and strategy is for the decision of the President and it is his alone.*

As I have already pointed out in my statement, and as my contemporaneous notes indicate, *it was the consensus of opinion of the President's advisers that if the Japanese in the latter part of November should advance beyond a certain point the security of this country demanded that we would have to fight.* It was also the consensus of opinion that a further warning by us to

Japan should be given. The President *was in fact during the early part of December engaged in preparing an address to the Congress which would incorporate such a warning, and was also considering a special telegram to the Emperor of Japan. Before the address to the Congress was delivered, however, the Japanese struck on December 7. I do not recollect that the President prior to December 7 formally announced any decision on his part to fight if the Japanese passed the point in question, but he was undoubtedly considering such a decision most seriously, because it was the advice of his best qualified advisers.*

4. If so, what plans were promulgated to carry out that advice?
See answer to question 3.

5. Did you have information from the President that we would fight for the sake of our security upon the happening of that event mentioned in question 1?

See answer to question 3.

6. If so, did you convey that information to General Marshall?
See answer to question 3.

7. Will you state if the Secretary of the Navy had such advice and if he conveyed it, or caused it to be conveyed, to Admiral Stark?

I have no information as to this. . . .

10. On page 12 of the mimeographed statement you speak of the vote of the Cabinet as to whether or not it was thought that the American people would back you up if it became necessary to strike Japan in case she attacked England in Malay or the Dutch East Indies, does this mean that it became the policy of this Government at that time to take such steps?

See answer to question 3.

11. If so, to whom was this policy communicated?

See answer to question 3.

12. Did you advise General Marshall and was he to advise others in the field of this policy?

See answer to question 3.⁹²

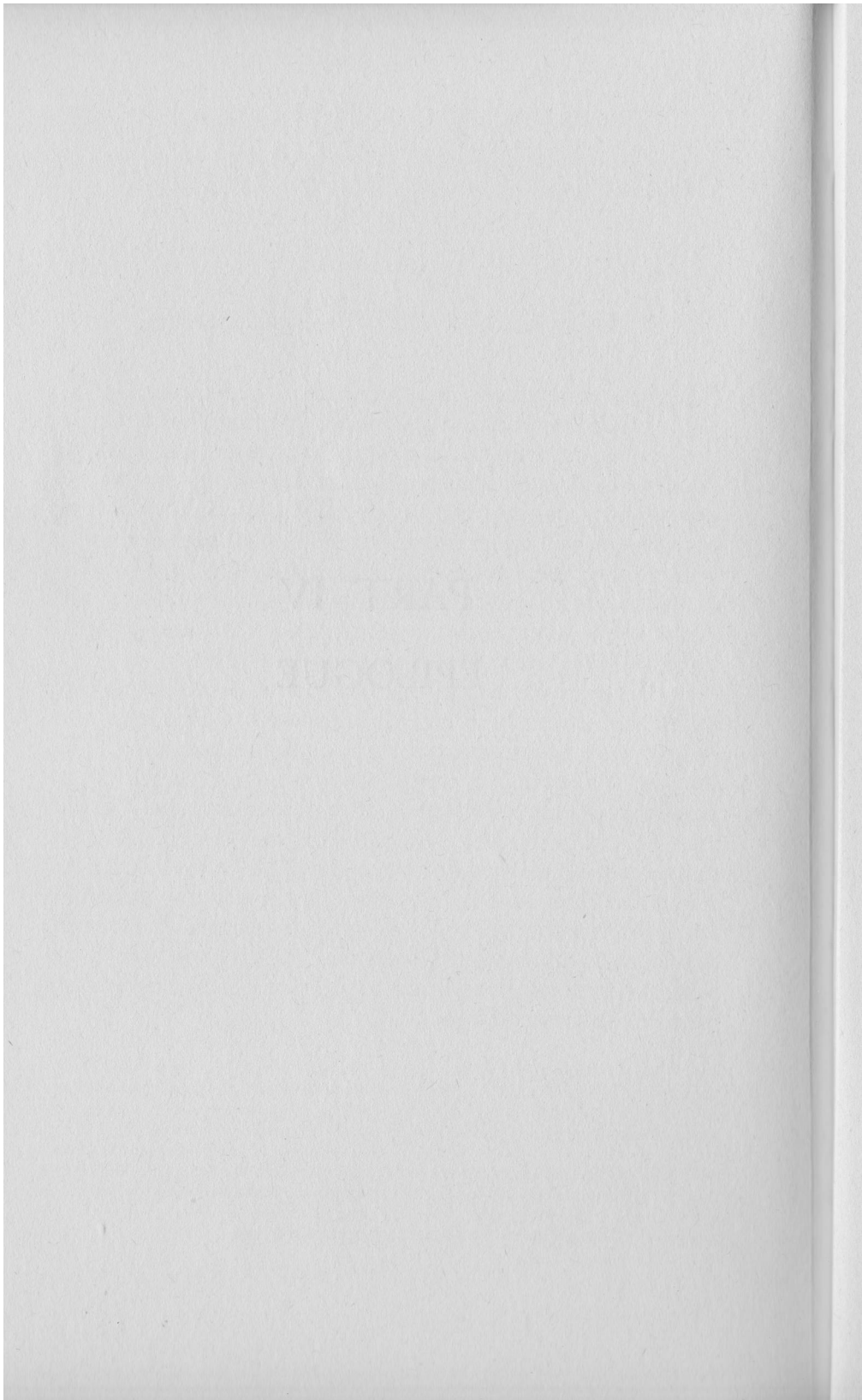
Such were Secretary Stimson's formulas of law and morals presented in justification of the exercise of illimitable powers by President Roosevelt in framing foreign policy, conducting foreign affairs, and making the commitments that eventuated

92. CJC, Part 11, pp. 5456 ff. (Italics supplied.)

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in war. Here were Secretary Stimson's legal and ethical sanctions for the secret decisions and operations during the days preceding Pearl Harbor, which he tersely described as maneuvering the Japanese into the position of firing the first shot.

PART IV
EPILOGUE



CHAPTER XVIII

Interpretations Tested by Consequences

THE discrepancies between official representations and official realities in the conduct of foreign affairs during the year 1941, until the coming of war, stand out starkly in documents already available. Other documents that bear on the subject, running into the thousands, are known to exist, but they are still under the seal of secrecy. What they will reveal, if all of them are ever unsealed, can only be a matter of conjecture for the general public and students of history. But in any event several primary discrepancies are established beyond question by the documents now published.

In the nature of things human and political, these established discrepancies may be and are being turned to account in various ways by politicians, publicists, and commentators. They may be, for example, formulated into a bill of indictment against President Roosevelt and his Administration. Or they may be incorporated in a brief of defense which, like a demurrer in a court of justice, concedes the facts and denies that they make a true case under superior and overriding principles, taken for granted in advance. Or they may appear to reflective minds as furnishing precedents material and relevant to the future and fortunes of constitutional and democratic government in the United States.¹

1. Assuming that critical historiography will not disappear from the Western civilization, as it did from the western Empire of Rome after the fifth century, A.D., the debate over interpretations of these discrepancies will probably continue indefinitely. For instance, students of history, after the lapse of centuries, still differ over the policy of Nero in relation to conquered Britain as represented by Suetonius and as otherwise represented by Tacitus. R. C. Collingwood, *The Idea of History* (1946), pp. 244 f. For comment on problems of interpretation in contemporary historiography, see R. Aron, *Introduction à la philosophie de l'histoire*, "La pluralité des systèmes d'interprétation," pp. 91 ff.

THE MAIN BRIEF OF DEFENSE—TESTED
BY CONSEQUENCES

For these discrepancies a favorable interpretation has been and is still being offered by many American publicists in the following form. The great end which President Roosevelt discerned and chose justified the means which he employed. As a farsighted statesman he early discovered that unless the United States entered the war raging in Europe, Hitler would be victorious; and the United States, facing alone this monstrous totalitarian power, would become a victim of its merciless ideology and its despotic militarism. According to this interpretation, it was a question of democracy, the Four Freedoms, the noble principles of the Atlantic Charter, and world security on the one side; of totalitarianism, consummate despotism, and military subjugation on the other side. Since the American people were so smug in their conceit, so ignorant of foreign affairs, and so isolationist in sentiment that they could not themselves see the reality of this terrible threat to their own safety and a necessity to meet it by a resort to war, President Roosevelt had to dissemble in order to be reelected in 1940 as against Wendell Willkie, then the antiwar candidate of the Republicans on an antiwar platform. Furthermore, as members of Congress, Democrats and Republicans alike, continued throughout the year, until December 7, their vigorous opposition to involvement in war, President Roosevelt, in conducting foreign affairs, had to maintain the appearance of a defensive policy until the Japanese attack on Pearl Harbor. But the means which President Roosevelt actually employed in the conduct of foreign affairs were justified by the great end which he, with peculiar clairvoyance, had early discerned and chosen for himself and his country.²

Oblique but evident support for this interpretation was provided by the Department of State in Chapter I of its publication, *Peace and War, 1931-1941*, issued in July, 1943,

2. This is, in sum and substance, the official case as presented in the semiofficial work by Davis and Lindley, *How War Came*; Beard, *op. cit.*, pp. 25 ff.

prepared by or for Secretary Hull. In that chapter, the President and the Secretary of State are represented as convinced at some time "early" in that decade that "the idea of isolation as expressed in 'neutrality' legislation" was untenable, as having information about foreign affairs or foreseeing developments in foreign relations of which the public was not aware, and as compelled to move gradually "to a position in the forefront of the United Nations that are making common cause against an attempt at world conquest unparalleled alike in boldness of conception and in brutality of operation."³

The interpretation that the end justified the means, like all other interpretations, depends upon the point of view of those who make or accept it; and though it be proclaimed as the settled truth, its validity is nonetheless open to tests of knowledge.⁴ Even a cursory examination of the thesis raises questions of time and consequences, foreign and domestic.⁵

When did the end that justified the means actually come? With the surrender of Italy, Germany, and Japan? If not,

3. For an analysis of this chapter in *Peace and War*, see Beard, *op. cit.*, pp. 28 ff.

4. For the use of the test of consequences, we have the very high authority of Sumner Welles. In his book, *The Time for Decision* (Harper, 1944), Mr. Welles says: "The wisdom of any foreign policy can generally be determined only by its results." CJC, Part 2, p. 509.

5. The proposition that President Roosevelt as a perceptive statesman foresaw, in advance of the American people, the great end to be attained and the necessity of America's entrance into war involves questions of chronology and history. When, before December 7, 1941, did President Roosevelt and Secretary Hull decide that war for the United States was desirable and necessary, if they ever did before the Pearl Harbor attack? President Roosevelt's answer to that question of time is not yet forthcoming (see above, Chap. XIV). Secretary Hull, when it was put to him squarely by Senator Ferguson, parried it with the verbal skill of a trained diplomat (see above, pp. 563 f.). The majority of the Congressional Committee on Pearl Harbor eluded it by the use of the word "timely" (see above, p. 339). The conflict of the proposition with the official thesis on the coming of war, established by President Roosevelt on December 8, 1941, is obvious. According to that thesis, the President was seeking peace with Japan and the United States was precipitated into war by the surprise attack launched by the Japanese on December 7. Nor did the United States declare war on Germany and Italy at the request of President Roosevelt. On the morning of December 11, Germany and Italy declared war on the United States. The resolutions of Congress, December 11, 1941, said that a state of war had been "thrust upon" the United States by Germany and Italy and that this state of war "is hereby formally declared." If the state of war had been thrust upon the United States, were President Roosevelt and Secretary Hull merely victims, not makers, of history?

when did it come or is it to come—in what span of time, short or long? By whom and according to what criteria is the question of time to be answered beyond all reasonable doubt?

If the time for the achievement of the end be postponed to some point in the indefinite future, the confirmation of the thesis must likewise be postponed indefinitely. In that case an effort to confirm it now becomes a matter of calculating probabilities, ponderable and imponderable. If, however, the results of the war—foreign and domestic—thus far known be taken into the reckoning, a question both logical and historical may be asked: Does it now appear probable that President Roosevelt did in fact so clearly discern the end—the consequences to flow from his actions in 1941—that he was in truth justified in his choice and use of means?

With regard to consequences in foreign affairs,⁶ the noble principles of the Four Freedoms and the Atlantic Charter were, for practical purposes, discarded in the settlements which accompanied the progress, and followed the conclusion, of the war. To the validity of this statement the treatment of peoples in Estonia, Lithuania, Poland, Rumania, Yugoslavia, China, Indo-China, Indonesia, Italy, Germany, and other

6. In respect of the alarming state of foreign affairs for the United States in February, 1947, testimony was given by a high-ranking authority, the Secretary of State, George C. Marshall, in an address at Princeton University, on the 22d of that month. On that occasion, Secretary Marshall said:

"As you all must recognize, we are living today in a most difficult period. The war years were critical, at times alarmingly so. But I think that the present period is, in many respects, even more critical [than during the war years]. The problems are different but no less vital to the national security than those during the days of active fighting. But the more serious aspect is the fact that we no longer display that intensity, that unity of purpose, with which we concentrated upon the war task and achieved the victory. . . .

"We have had a cessation of hostilities, but we have no genuine peace. Here at home we are in a state of transition between a war and peace economy. In Europe and Asia fear and famine still prevail. Power relationships are in a state of flux. Order has yet to be brought out of confusion. Peace has yet to be secured. And how this is accomplished will depend very much upon the American people.

"Most of the other countries of the world find themselves exhausted economically, financially and physically. If the world is to get on its feet, if the productive facilities of the world are to be restored, if democratic processes in many countries are to resume their functioning, a strong lead and definite assistance from the United States will be necessary." *Congressional Record*, March 3, 1947 (Appendix).

places of the earth bears witness. More significant still for the fortunes of the American Republic, out of the war came the triumph of another totalitarian regime no less despotic and ruthless than Hitler's system, namely, Russia, possessing more than twice the population of prewar Germany, endowed with immense natural resources, astride Europe and Asia, employing bands of Quislings as terroristic in methods as any Hitler ever assembled, and insistently effectuating a political and economic ideology equally inimical to the democracy, liberties, and institutions of the United States—Russia, one of the most ruthless Leviathans in the long history of military empires.

Since, as a consequence of the war called "necessary" to overthrow Hitler's despotism, another despotism was raised to a higher pitch of power, how can it be argued conclusively with reference to inescapable facts that the "end" justified the means employed to involve the United States in that war? If the very idea of neutrality with regard to Hitler was shameful in 1941, what is to be said of commitments made in the name of peace and international amity at Teheran and Yalta, where the avowed and endorsed principles of the Atlantic Charter for world affairs were shattered—in commitments which were subsequently misrepresented by President Roosevelt, publicly and privately? ⁷

Nor more than two years after the nominal close of the war did the prospects of "reconstruction" in Germany and Japan promise the achievement of President Roosevelt's great end in any discernible time ahead.

In respect of domestic affairs, the consequences of the involvement in the war are scarcely less damaging to the thesis that the end justified the means. Among the many dangers long emphasized by advocates of war in the name of perpetual or durable peace, none was described in more frightening terms than the prospect that Hitler would be victorious in Europe and that the result of his victory would spell disaster for the United States. It would mean the transformation of the

7. For instance, as to Poland, see Jan Ciechanowski, *Defeat in Victory* (Doubleday, 1947).

United States into a kind of armed camp for defense, with all the evils thereunto attached: a permanent conscript army, multiplied annual outlays for armaments, a huge national debt, and grinding taxes. The expansion of American economy, so necessary for domestic prosperity, would be blocked by the impossibility of "doing business with Hitler," that is, by barriers to American commerce in the form of state-fostered cartels and state-controlled economies in Europe. Moreover, the promotion of beneficent reforms at home, from which President Roosevelt had been compelled to turn in military preparations for defense, would be permanently barred. Only by victory over Hitler, it was claimed, could these frightful evils be avoided.

But judging by results of participation in the war, and the prospects of evident tendencies, were these dreadful evils obviated by the victory at arms? While the war was still raging, President Roosevelt recommended to Congress the adoption of conscription as a permanent policy for the United States—under the softer name of universal service; and his successor, President Truman, continued to urge that policy upon Congress even after large-scale fighting had nominally stopped. Furthermore, it was now claimed by former advocates of war that huge armed forces were necessary in "peacetime" to "secure the fruits of victory" and "win the peace"—by extirpating the spirit of tyranny in Germany and Japan and by restraining the expansion of Russian imperial power.

As for military expenditures, they were fixed in 1947 at many times the annual outlays of prewar years, despite the cuts made by the Republican Congress in President Truman's budget demands. To the people of the United States, the war bequeathed a national debt, augmented from about \$60,000,000,000 in 1940 to approximately \$279,000,000,000 in 1946, or about \$2,000 for every man, woman, and child in the country. To meet the annual interest on the national debt it was necessary in 1947 for the government to raise about \$5,000,000,000, or more than the total peacetime outlay of the government for all purposes in any year before 1933—the

advent of the New Deal; and the tax rates of 1947 made the tax rates of any year before 1941 look positively trivial in comparison. So stupendous was the debt and so heavy the tax burden that only Communists, looking gleefully to repudiation and a general economic crash, could envisage the future with satisfaction. Nor was the outlook for doing business with Stalin save on his own terms, or for that matter with several other European governments, any brighter than doing business with Hitler in the prewar years had been in fact.

With regard to the Democratic party as the party offering beneficent and progressive reforms, the outcome of the war was little short of disastrous, at least immediately. Though entrenched in every department of the Federal Government and commanding the support of a bureaucracy numbering more than 3,000,000 officers and employees, enjoying all the economic perquisites therewith associated, the party was ousted from power in both houses of Congress by Republicans triumphant at the polls in the congressional elections of 1946.

Deprived of its "indispensable" leader through the death of President Roosevelt in 1945, the Democratic party broke immediately into belligerent factions, while internationalists quarreled over the proceedings, meaning, and utility of the United Nations. On the extreme right, gathered old-line Democrats bent on extinguishing all signs of the New Deal; on the extreme left, rallied the new-line "progressives," headed by Henry Wallace, pledged to innovations more radical, extensive, and costly than those of the New Deal; and in the middle a small number of reformers, claiming to be guardians of the true faith, established the Committee for Democratic Action, with which Mrs. Eleanor Roosevelt was affiliated. Hence, when the fortunes of the Democrats as the unified party of reform were considered, it was academic to raise the question whether the domestic consequences of the war for the new world order justified the means chosen by President Roosevelt to gain the end which he chose for himself and the United States.

Indeed, two years after the nominal close of the war for the

end proclaimed, it was almost academic to discuss domestic affairs at all, for they were subordinate to overriding foreign commitments, known and secret, made by President Roosevelt and by his successor, President Harry Truman. In 1947, under President Truman's direction, the Government of the United States set out on an unlimited program of underwriting, by money and military "advice," poverty-stricken, feeble, and instable governments around the edges of the gigantic and aggressive Slavic Empire. Of necessity, if this program was to be more than a *brutum fulmen*, it had to be predicated upon present and ultimate support by the blood and treasure of the United States; and this meant keeping the human power and the economy of the United States geared to the potentials inherent in the undertaking.

In these circumstances, it was impossible for the Government or people of the United States to make any rational calculations as to economy, life, and work at home. Over young men and women trying to plan their future days and years hung the shadow of possible, in fact probable, calls to armed services. Congress could do no more than guess at the requirements of taxation and expenditures, domestic and foreign. Business enterprisers, with prospects of new war demands ahead, could lay out no programs for the production of civilian goods with any degree of assurance as to the future, immediate or remote. In short, with the Government of the United States committed under a so-called bipartisan foreign policy to supporting by money and other forms of power for an indefinite time an indefinite number of other governments around the globe, the domestic affairs of the American people became appendages to an aleatory expedition in the management of the world.

JUDGMENT BY REFERENCE TO THE AMERICAN
CONSTITUTIONAL SYSTEM

NEVERTHELESS, if it is still contended that President Roosevelt was justified in his choice and use of means to accomplish

his end, there remains to be faced the relation of the means, as actually employed, to the Constitution of the United States and all that it signifies in terms of limited government, consent of the governed, democratic processes, and political ethics. The issue of this relationship rises above political parties and political personalities. It is timeless in its reach for the American people, perhaps for the people of the whole world. In short and plain form this issue is: Given the precedents set by President Roosevelt in the choice and use of means, what is to be the future of representative government under the Constitution of the United States?

When the Constitution, with its provisions for popular government, its limitations and checks on personal and arbitrary government, and its safeguards for the rights of the people, is taken as the standpoint for reviewing the conduct of foreign affairs by President Roosevelt, a more permanent and concrete basis is established for judgment than is furnished by the theory that the end justified the means. According to that standard, the very conception of limited government, which is indubitably anchored in the Constitution, of necessity circumscribes the powers and the means which may be employed by every department of the Government of the United States.

It is true that the Constitution is flexible in many respects but as to the division and limitation of power its language is explicit.⁸ Certainly it does not vest in the Congress or the President illimitable power secretly to determine the ends of the government in foreign or domestic affairs and secretly to choose and employ any means deemed desirable by either branch of the government to achieve those ends. The President, members of Congress, and all high officials take an oath to support and defend the Constitution; and unless legal commitments involve no moral commitments and oaths of office are to be belittled as empty formalities, the conduct of for-

8. For an authoritative exposition of this axiom of divided and limited power, see *The Federalist*, Nos. 47-51.

eign affairs is subject to the Constitution, the laws, and the democratic prescriptions essential to the American system of government.

Yet, if the precedents set by President Roosevelt in conducting foreign affairs, as reported in the records of the Congressional Committee on Pearl Harbor and other documents, are to stand unimpeached and be accepted henceforth as valid in law and morals then:

The President of the United States in a campaign for reelection may publicly promise the people to keep the country out of war and, after victory at the polls, may set out secretly on a course designed or practically certain to bring war upon the country.

He may, to secure legislation in furtherance of his secret designs, misrepresent to Congress and the people both its purport and the policy he intends to pursue under its terms if and when such legislation is enacted.

He may, by employing legal casuists, secretly frame and, using the powers and patronage of his office, obtain from Congress a law conferring upon him in elusive language authority which Congress has no constitutional power to delegate to him.

He may, after securing such legislation, publicly announce that he will pursue, as previously professed, a policy contrary to war and yet at the same time secretly prepare plans for waging an undeclared "shooting war" that are in flat contradiction to his public professions.

He may hold secret conferences with the Premier of a foreign government and publicly declare that no new commitments have been made when, in fact, he has committed the United States to occupying, by the use of American armed forces, the territory of a third country and joining the Premier in parallel threats to another government.

He may make a secret agreement with a foreign power far more fateful in consequences to the United States than any alliance ever incorporated in a treaty to be submitted to the Senate for approval.

He may demand, and Congress may pliantly confer upon him, the power to designate at his discretion foreign governments as enemies of the United States and to commit hostile acts against them, at his pleasure, in violation of national statutes and the principles of international law hitherto accepted and insisted upon by the United States.

He may publicly represent to Congress and the people that acts of war have been committed against the United States, when in reality the said acts were secretly invited and even initiated by the armed forces of the United States under his secret direction.

He may, on the mere ground that Congress has made provisions for national defense, secretly determine any form of military and naval strategy and order the armed forces to engage in any acts of war which he deems appropriate to achieve the ends which he personally chooses.

He may, by employing his own subordinates as broadcasters and entering into secret relations with private agencies of propaganda, stir up a popular demand for some drastic action on his part which is not authorized by law, and then take that action, thus substituting the sanction of an unofficial plebiscite for the sanction of the Constitution and the laws enacted under it.

He may, after publicly announcing one foreign policy, secretly pursue the opposite and so conduct foreign and military affairs as to maneuver a designated foreign power into firing the first shot in an attack upon the United States and thus avoid the necessity of calling upon Congress in advance to exercise its constitutional power to deliberate upon a declaration of war.

He may, as a crowning act in the arrogation of authority to himself, without the consent of the Senate, make a commitment to the head of a foreign government which binds the United States to "police the world," at least for a given time, that is, in the eyes of other governments and peoples policed, to dominate the world; and the American people are thereby in honor bound to provide the military, naval, and economic

forces necessary to pursue, with no assurance of success, this exacting business.

In short, if these precedents are to stand unimpeached and to provide sanctions for the continued conduct of American foreign affairs, the Constitution may be nullified by the President, officials, and officers who have taken the oath, and are under moral obligation, to uphold it. For limited government under supreme law they may substitute personal and arbitrary government—the first principle of the totalitarian system against which, it has been alleged, World War II was waged—while giving lip service to the principle of constitutional government.

Moreover, in addition to the sanctions provided by these precedents, the theory that the President has the power to determine foreign policy, support his policy by arms, and, without appealing to Congress for war authority, strike a designated enemy, has received approval in certain military, naval, and civilian circles of the United States. To this fact the conduct of General George C. Marshall, as Chief of Staff, and Admiral Harold R. Stark, as Chief of Naval Operations, in 1941, bears witness. It may be claimed, of course, that as loyal officers and subordinates of President Roosevelt, Secretary Stimson, and Secretary Knox, Admiral Stark and General Marshall were bound to accept the rulings, orders, and plans of their civilian superiors. Indeed, for their plans and actions, including the initiation of an undeclared war on German and Italian war vessels in the Atlantic, they had the color of authority in the orders and instructions of President Roosevelt.

Even so, documents made public by the Congressional Committee on Pearl Harbor reveal that General Marshall and Admiral Stark, in giving form to war plans in coöperation with British military and naval officers and making military recommendations to President Roosevelt, took the position that the United States must fight if Japan moved her armed forces beyond certain lines in the direction of British and Dutch possessions in the Far East.

Fortunately for American people who want to know how they are governed, Admiral Stark was a voluminous letter writer and a part, at least, of his immense file was opened by the Congressional Committee.⁹ Perhaps it was for this "in-discretion" that Admiral Stark, after services in the war for which he was awarded high honors, was cashiered by Secretary Forrestal, placed in the class of Admiral Kimmel, and publicly discredited by the official declaration that henceforward he should hold no office calling for "superior judgment." In any case, as demonstrated by his letters and testimony before the Congressional Committee, Admiral Stark was a willing and indeed eager servant of the idea that the United States must enter the European war, by clandestine methods if necessary, and that the President had the power to initiate war; and he was a party to the misrepresentations of the alleged "attacks" in the Atlantic as the work of a truculent enemy.¹⁰

As Chief of Staff of the Army, General Marshall was less involved immediately than Admiral Stark in initiating the secret undeclared war in the Atlantic, but that action was only an expression of a general policy in the making of which he participated actively as a member of the War Cabinet. Admiral Stark consulted him before he invited British naval experts in the fall of 1940 to Washington with a view to framing common naval plans for war.¹¹ General Marshall participated in the drafting of the British-American war plans which contemplated the opening of war in the Atlantic.¹² Since the Army was to be involved in the occupation of the Azores, he was a party to that design.¹³ If Admiral Stark is to be accepted as authority, General Marshall was preparing the Army early in 1941 for the invasion of Europe, as the following colloquy shows:

9. See above, Chap. XIV. General Marshall was apparently more restrained than Admiral Stark in his letter writing.

10. See above, Chaps. III, V, and XIV.

11. CJC, Part 11, p. 5240.

12. See above, Chap. XIV, especially, pp. 442 ff.

13. *Ibid.*

SENATOR FERGUSON. Was it ever contemplated, as far as you know, to come to Congress to declare war on Portugal and take the Azores?

ADMIRAL STARK. I never heard of it, or I never thought of it until this minute.

SENATOR FERGUSON. Well, if you were preparing the fleet, and preparing ships to take the Azores, it wasn't just a drill, was it?

ADMIRAL STARK. We prepared to take the Continent of Europe too.

SENATOR FERGUSON. That early? . . .

ADMIRAL STARK. Well, I dare say that the Army was working on plans, and they were asking for men, and so forth, for a big and huge Army.¹⁴

As a member of the War Cabinet, General Marshall took part in the business of "maneuvering" the Japanese into firing the first shot. Although in his testimony before the Congressional Committee he insisted that this maneuvering was essentially "diplomatic," he knew very well that diplomatic maneuvering unsupported by war plans and arms was chimerical and that it rested at bottom on the war recommendations of November 5 and November 27 which he had joined Admiral Stark in presenting to the President and War Cabinet.

If all this be discounted, it is to be noted that General Marshall was in accord with the doctrine of presidential power over diplomacy, strategy, and war set forth by Secretary Stimson in the extracts from his *Diary* and in his statement presented to the Congressional Committee. There, Secretary Stimson maintained that, as Chief Executive and Commander in Chief of the Army and the Navy, the President had power to inform a foreign government that, if terms he laid down were not accepted and obeyed, the United States would fight—indeed that the President had the power to order war on that government, without an advance declaration of war by Congress, if it made moves forbidden by the President. During the course of General Marshall's testimony before the

14. CJC, Part 11, p. 5260.

Congressional Committee on April 9, 1946, Mr. Keefe put the following question to him: "So that as a member of the committee I am safe in accepting the statement of Secretary Stimson, together with the memoranda contained in his diary, as being in full accord with your own attitude toward the things and events which he described?" General Marshall answered: "Yes, sir. . . ." ¹⁵

Furthermore, it is to be remembered that Secretary Stimson, in another place, declared, without any reference to the Constitution, that when Congress has provided for a policy of defense by legislation, the President alone has the power to make the decisions as to how this policy is to be best carried out, to adopt plans for national defense, and to determine the particular strategy requisite to effect these plans, including that of maneuvering any designated enemy into firing the first shot.¹⁶ Beyond that, in the boundless realm of power politics, it is scarcely possible for a soaring imagination to go; for Congress regularly makes continuing provision for national defense.

On November 28, 1941, for example, Secretary Stimson discussed with President Roosevelt measures which might be taken against Japan. If anything was to be done, the President suggested: "to make something in the nature of an ultimatum again, stating a point beyond which we would fight; [or] . . . to fight at once." Secretary Stimson favored the latter alternative. In his statement to the committee, Mr. Stimson explained his decision by saying "the desirable thing to do from the point of view of our own tactics and safety was to take the initiative and attack without further warning. It is axiomatic that the best defense is offense. It is always dangerous to wait and let the enemy make the first move. I was inclined to feel that the warning given in August [1941] by the President against further moves by the Japanese toward Thailand ¹⁷

15. *Ibid.*, p. 5195.

16. *Ibid.*, p. 5456 ff.; see also above, p. 517.

17. See above, pp. 447 ff.

justified an attack without further warning, particularly as their new movement southward indicated that they were about to violate that warning."

This utility of limitless presidential power in matters of foreign policy and foreign affairs, and even in waging war, was also expounded, less explicitly but no less forcefully, by the Army Board on Pearl Harbor which was appointed by Secretary Stimson under the Act of Congress, June 13, 1944, and reported to him on October 20 of that year.¹⁸ Although the board was presumably engaged in exploring responsibilities for the catastrophe at Pearl Harbor, it took advantage of the occasion to assert an overriding philosophy of politics and war. In Chapter II of its Report, the board laid heavy emphasis on the handicaps imposed upon the Roosevelt Administration by "isolationists and nationalists who objected to involvement in war," on the difficulties encountered by the State Department in conducting negotiations with Japan without means of enforcing its views by arms, and on the advantages which the Executive of Japan had in its unrestricted power to make a surprise war at its own will, without reference to the Parliament.

The Army Pearl Harbor Board did not claim with Secretary Stimson that acts of Congress providing for national defense ipso facto authorized the President to conduct foreign affairs and make war at will; nor did it attack the Constitution of the United States by name. But it did definitely intimate that the responsibility for the disaster at Pearl Harbor must be ultimately ascribed to the system of checks on arbitrary power provided by the Constitution and by the processes of representative and democratic government as carried on under the Constitution. It declared that the consequences of those processes furnished the background for allocating responsibilities in respect of the catastrophe: "There was a distinct lack of a war mind in the United States. Isolationist organizations and propaganda groups against war were powerful and vital factors affecting any war action capable of being taken by our re-

18. See above, Chap. XI.

sponsible¹⁹ leadership. So influential were these campaigns that they raised grave doubts in the minds of such leadership as to whether they would be supported by the people in the necessary actions for our defense by requisite moves against Japan. Public opinion in the early stages had to be allowed to develop; in the later stages it ran ahead of preparation for war. There was little war spirit either amongst the general public or in the armed forces, due to this conflicting public opinion having its influence. The events hereinafter recited must be measured against this important psychological factor."²⁰

With more caution, the Navy Court of Inquiry, in its Report on Pearl Harbor, said of constitutional limitations on the President's power to make war: "In time of peace it is a difficult and complicated matter for the United States to prevent an attack by another nation because of the constitutional requirement that, prior to a declaration of war by Congress, no blow may be struck until after a hostile attack has been delivered. This is a military consideration which gives to a dishonorable potential enemy the advantage of the initiative, deprives the United States of an opportunity to employ the offensive as a mean of defense, and places great additional responsibility on the shoulders of commanders afloat in situations where instant action, or its absence, may entail momentous consequences."²¹

The theory of unlimited power in the Executive over international relations is by no means confined to Army and Navy circles. Close students of international law and foreign affairs who follow the literature of the subject, including articles in law journals, are aware that numerous defenders of President Roosevelt's methods have been for years engaged in stretching political precedents and obiter dicta of Supreme Court justices in an effort to establish two propositions in particular: (1) the President's power in the management of foreign affairs is practically sovereign; and (2) the President may

19. Responsible how and to whom?

20. CJC, Part 39, pp. 27 ff.

21. *Ibid.*, p. 298.

incorporate in an executive agreement with a foreign government—even a secret executive agreement—any commitment he wishes to make in the name of the United States, despite the constitutional provision for the ratification of treaties by the Senate.

Subsidized and powerful private agencies engaged nominally in propaganda for “peace” are among the chief promoters of presidential omnipotence in foreign affairs. They look to the President rather than Congress for assistance in advancing their ideas of America’s obligation to join other “peace-loving” nations in ordering and reordering the world. Moreover, as these agencies in turn subsidize professors and “students of international relations” by the hundreds, they thereby help to exalt presidential “leadership” and, correspondingly, degrade the Senate or the House of Representatives or both with regard to their responsibilities in foreign affairs. Consequently, American education from the universities down to the grade schools is permeated with, if not dominated by, the theory of presidential supremacy in foreign affairs. Coupled with flagrant neglect of instruction in constitutional government, this propaganda in universities, colleges, and schools has deeply implanted in the minds of rising generations the doctrine that the power of the President over international relations is, for all practical purposes, illimitable.

The theory of limitless power in the Executive to conduct foreign affairs and initiate war at will, unhampered by popular objections and legislative control, is of course old in the history of empires and despotisms. It was long accepted and practiced by despotic monarchies. It was held and applied by Hitler and Mussolini. It is now the theory, as well as the practice, of totalitarian governments everywhere. But such governments have never been under the delusion that limitless power can be exercised over foreign affairs and war, while domestic affairs and domestic economy are left free and the authority of government over them is constitutionally limited.

Since the drafting of the Constitution, American statesmen of the first order have accepted the axiom that militarism and

the exercise of arbitrary power over foreign affairs by the Executive are inveterate foes of republican institutions.²² It was in part to meet the threatened establishment of a military dictatorship on the ruins of representative government that George Washington took leadership in the formation and ratification of the Constitution.²³ In No. 8 of *The Federalist*, Alexander Hamilton pointed out that any necessity which enhances the importance of the soldier "proportionably degrades the condition of the citizen. The military state becomes elevated above the civil."

But it is contended by some contemporary publicists, whose assurance is often more impressive than their knowledge of human government, that offense is the best defense, that unlimited striking power in the Executive is necessary to survival in an age of "power politics" and "atom bombs." Few of them, it is true, venture to say openly that the Constitution is obsolete and that such a centralization of authority should be, in fact, substituted for the system of limited government fortified by checks and balances. Yet the implication of their arguments is inexorable: constitutional and democratic government in the United States is at the end of its career.

If it be urged that the United Nations organization and American membership in it offer an escape from the dilemma so posed, many countervailing realities become obvious to reflective minds. If the violent differences of opinion among supporters of that organization as to its meaning and prospects furnish no caveats, events certainly do.

Neither the operations of the organization nor the procedures under the prolix and redundant asseverations of peace and human rights incorporated in its charter have indicated discernible alterations in the warlike, revolutionary, and ambitious propensities of politicians, governments, and nations. The ordinary conduct of international relations by separate diplomatic agencies and contests for prestige and supremacy among power-hungry politicians have continued despite the

22. C. A. Beard, *The Republic* (Viking, 1943), pp. 212 ff.

23. *Ibid.*, pp. 22 ff.

existence and nominal functioning of the United Nations organization. Whether the public and often vitriolic debates that occur in the so-called "town meeting of the world," especially with regard to controversial issues arising within and among nations, will produce more peaceful settlements and fewer wars than ordinary diplomatic processes is at best dubious. At any rate, the rights of independence, self-defense, and freedom from outside intervention in internal affairs are explicitly accorded by the charter to all member nations; and the pursuit of what are called "national interests" appears no less vigorous or intransigent than before the United Nations came into existence.

The crisis in constitutional government represented by the present foreign perils and the contest over Executive authority relative to the conduct of foreign affairs, including the war power, has not sprung entirely from physical objects such as atom bombs and rocket planes or from sources entirely outside the United States, beyond the control of the American people. In no small measure it has come from doctrines proclaimed by presidents and political leaders, strongly supported by subsidized propaganda and widely applauded by numerous American citizens since the opening of the twentieth century. Among these doctrines four are especially effective in creating moral and intellectual disorder at home and hostility toward the United States among the nations of the earth.

The first of these doctrines is the jubilant American cry that the United States is now a world power and must assume the obligations of a world power. Undoubtedly the United States is a great power *in* the world and has obligations as such. But the range of its *effective* power supportable by armed forces and economic resources is limited. The further away from its base on the American continent the Government of the United States seeks to exert power over the affairs and relations of other countries the weaker its efficiency becomes; and the further it oversteps the limits of its strength the more likely it is to lead this nation into disaster—a terrible defeat in a war in Europe or Asia beyond the conquering power of its soldiers,

sailors, and airmen. If wrecks of overextended empires scattered through the centuries offer any instruction to the living present, it is that a quest for absolute power not only corrupts but in time destroys. A prudent recognition and calculation of the limits on power is a mandate for statesmen and nations that seek to survive in the struggles of "power politics." And, as there are limitations on power to control or obliterate other nations, so there are limitations on the obligation to serve them either morally, physically, or economically.

A second danger to the peace and the security of the United States is the doctrine which runs to the effect that the President of the United States has the constitutional and moral right to proclaim noble sentiments of politics, economics, and peace for the whole world and commit the United States to these sentiments by making speeches and signing pieces of paper on his own motion. The futility of this practice has been demonstrated again and again and again, as the history of the Open Door, the Fourteen Points, the Kellogg Pact, the Four Freedoms, and the Atlantic Charter attests.

But the hazards in it are usually overlooked. Such commitments, even if intended for popular consumption, are often accepted as real, meaningful, and enforceable by some foreigners who share the sentiments of good will, and as easy bargains by foreign governments in dire need of American blood and treasure. In the one case disappointed hopes provoke bitterness against the United States;²⁴ and in the other case ingratitude for favors received produces similar results. In both cases the United States is opened to the imputation of hypocrisy and in fact often deserves it, with a loss in self-respect and of moral standing among the nations.

The practice of presidents in proclaiming noble sentiments of politics, economics, and peace for the whole world becomes all the more dangerous to the standing and security of the

24. A recent and classic example of such promises made by President Roosevelt under the head of world morality but also with some reference to the Polish-American vote in coming elections and secretly broken at Teheran and Yalta, is provided by the former Polish Ambassador, Jan Ciechanowski, *op. cit.*, *passim*.

United States if accompanied by public denunciations of other governments and by unilateral procedures designed to coerce them, such as embargoes and other economic sanctions. A melancholy illustration of this practice is provided by the ill fortune of the Stimson doctrine proclaimed in January, 1932, to the effect that the United States will not admit the legality of any situation, agreement, or treaty brought about by acts of aggression contrary to the Open Door policy, the Nine-Power Treaty of 1922, or the Kellogg-Briand Pact of 1928.²⁵ With this announcement President Hoover agreed but he differed from Mr. Stimson, his Secretary of State, in that he objected to employing other than moral sanctions to enforce it.

In time Mr. Stimson, however, won the support of President Roosevelt for his doctrine and, as Secretary of War, had the satisfaction of seeing Japan driven out of Manchuria, where the "incident" to which the doctrine was first applied arose in 1931. But in time, Mr. Stimson, in common with the world, also saw Russian imperialist power reestablished at strategic points in Manchuria (as well as the northern part of Korea) with the sanction of President Roosevelt, who even coöperated in compelling the Government of China to accept the *fait accompli*. Furthermore, Mr. Stimson, in common with the world, saw other gross violations of the doctrine that the United States will not admit the legality of territorial seizures by acts of aggression—violations agreed to by President Roosevelt at Teheran and Yalta, by President Truman at Potsdam, and by the then Secretary of State, James F. Byrnes, in "settlements" reached at various places after the conclusion of the war, as if *sub lege talionis*.²⁶

Closely associated with the idea that the President is serving the United States and mankind when he emits grand programs for imposing international morality on recalcitrant nations by American power, alone or in conjunction with that of allies

25. For passages in the history of this ill-fated "doctrine," see Beard, *op. cit.*, pp. 111 ff., 133 ff.

26. For a list of treaty-breaking acts and acts of aggression on the part of Soviet Russia, and President Roosevelt's acquiescence in Russian demands, see William Bullitt, *The Great Globe Itself* (Scribner, 1946).

or associates, is another doctrine which helps to build up public support for Executive supremacy in foreign affairs and to make enemies abroad. This doctrine proudly announces that it is the duty of the United States to assume and maintain "the moral leadership of the world" in the interest of realizing American programs of world reform. Apart from the feasibility of establishing such moral leadership in fact, the assertion of it adds to the discord rather than the comity of nations.

To sensibility, the very idea is repulsive. As ladies and gentlemen who publicly proclaim their own virtues are suspected and resented by self-respecting persons, so the Government and people of the United States, by loudly proclaiming their moral leadership of the world, awaken suspicion and resentment in Great Britain, France, Russia, China, and other countries of the world; and, what may be worse in the long run, contemptuous laughter. Nor, in truth, can American democracy, culture, or ways of life be "sold" to the world over the radio or by any other means of communication.

Not less disturbing to the fostering of decency in international intercourse is an array of opinions pertaining to international commerce. Proponents of these opinions say, for example, international commerce ipso facto promotes peace; it will raise the low standards of life which are "causes" of wars; such commerce, if expanded, will make it unnecessary for "have-not" nations to wage war for economic purposes; lowering trade barriers to international commerce will assure the continuous expansion of the international trade that works for peace and prosperity at home and abroad; and, therefore, the Government of the United States, in its search for world peace, must employ the engines of pressure and money lending in order to insure peace through the establishment of universal prosperity. Separately or collectively, these ideas are supported by powerful economic interests in the United States and if pushed in application will aggravate domestic conflicts, lead to limitless spending of taxpayers' money,²⁷ and bring on

27. It is well known that bankers and other private investors in the United States, having lost billions in the business of foreign "loans" after the conclusion

collisions with the controlled or semicontrolled economies of foreign countries.

The dangers of evoking foreign antagonisms by the use of the powers of government to promote commerce with other nations were well understood by leading framers of the Constitution. Among the many fictions attacked by Alexander Hamilton were two popular ideas: (1) republics are necessarily pacific and (2) "the spirit of commerce has a tendency to soften the manners of men."²⁸

With acumen, Hamilton asked: "Has commerce hitherto done anything more than change the objects of war? Is not the love of wealth as domineering and enterprising a passion as that of power or glory? Have there not been as many wars founded upon commercial motives since that has become the prevailing system of nations, as were before occasioned by the cupidity of territory or dominion? Has not the spirit of commerce, in many instances, administered new incentives to the appetite, both for the one and for the other? Let experience, the least fallible guide of human opinions, be appealed to for an answer to these inquiries." While Washington, under whom Hamilton served in war and peace, favored the fostering of foreign commerce, he warned his fellow countrymen, in the Farewell Address, against forcing it.

It remained for the nineteenth century to produce a full-blown concept for using the engines of state to break and keep channels open for foreign trade and to create spheres of economic interest. Critics dubbed this concept "imperialism." Defenders finally accepted the term and clothed it in moral verbiage as a design for "doing good to them that sit in darkness," that is, have a low standard of life. Rejecting imperialism as motivated by greed and lacking in virtue, other promoters of foreign trade chose more gracious covering phrases but called for the use of government in the process on similar grounds of

of World War I, will not voluntarily finance such schemes of "trade promotion" and that, if the policy of promotion is pressed, these projects must be financed by agencies of the United States Government out of funds derived from taxing and borrowing.

28. *The Federalist*, No. 6.

national and universal interest—raising the standards of life for everybody, everywhere, and giving four or more freedoms to the “common man” throughout the world.

In fact, this new internationalism of commerce does not, as often claimed, rise wholly above special economic interests into the pure empyrean of world welfare. If “greedy” and “purbblind” manufacturers for the domestic market are to be found supporting high tariff rates on products that compete with their goods, exporters, importers, producers of raw materials, and manufacturers for the export market are likewise to be discovered using money, influence, and politics on their side.²⁹

However that may be, delegating to the President the power to effect commercial treaties with other countries at will and to make loans to politicians temporarily at the head of their governments helps to augment Executive authority in the United States, and to give foreign peoples reasons or pretexts for suspecting the motives and impugning the character of the American Government, rightly or wrongly. At all events, using political engines and public funds in wholesale efforts to promote universal prosperity through free or freer international commerce so called, while in practice sowing the seeds of discord at home and abroad, approaches an impasse in thought and action.³⁰

29. A few years ago good Democrats were shocked and made loud outcries when a Republican Senator openly allowed the secretary of a manufacturers' association to help him write certain schedules in a pending tariff bill; but in 1947 good Democrats were deeply pained and highly indignant when a Republican member of the House of Representatives vociferously protested against permitting a rich cotton broker and exporter of cotton to serve as Undersecretary of State and engage in making “reciprocal” trade arrangements.

30. The extent to which government-controlled trade prevails, not only in Russia, where it is an absolute monopoly, but also in Great Britain, where a Socialist government is in power, and in other countries of western Europe, is well known to economic literates. The likelihood of a return to the “free trade” age of Richard Cobden and John Bright seems to be about as remote as a return to the ice age. At the Atlantic Conference in 1941, President Roosevelt and Undersecretary Welles took advantage of Prime Minister Churchill's dire need to press upon him the disruption of preferential trade within the British Empire, but Mr. Churchill was unable to commit the other members of the British Commonwealth and the subject was dismissed with a few vague words in the Atlantic Charter. See above, Chap. XV. Democratic sponsors of the bill for the large

At this point in its history the American Republic has arrived under the theory that the President of the United States possesses limitless authority publicly to misrepresent and secretly to control foreign policy, foreign affairs, and the war power.

More than a hundred years ago, James Madison, Father of the Constitution, prophesied that the supreme test of American statesmanship would come about 1930.

Although not exactly in the form that Madison foresaw, the test is here, now—with no divinity hedging our Republic against Caesar.

"loan" to Great Britain in 1946 defended it by broad and unfounded hints that breaking imperial preference would result from the passage of the bill. This is the use of the engines of government for commercial coercion.

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